

City of Trenton
REGULAR COUNCIL MEETING AGENDA
October 7th, 2021 - 7:30 p.m.

CALL TO ORDER

PRAYER

TBD

ROLL CALL

APPROVAL OF MINUTES

1. Minutes of the September 16, 2021 Work Session.
2. Minutes of the September 16, 2021 Council Meeting.

CORRESPONDENCE

1. None.

PRESENTATIONS

1. Swearing In of Emily Smith – Parks and Recreation board.
 - Swearing in will be after new business and the motion is approved.

AUDIENCE OF PUBLIC

UNFINISHED BUSINESS

1. None.

PUBLIC HEARINGS

1. AN ORDINANCE AMENDING SECTION 1268.02 PERMITTED USES; CATEGORIES OF PUDS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. (Third Reading, Public hearing)



2. AN ORDINANCE AMENDING SECTION 1268.03 AREA, DENSITY AND LOT REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
3. AN ORDINANCE AMENDING SECTION 1268.04(a) INTERIOR STREETS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
4. AN ORDINANCE AMENDING SECTION 1268.06 OFF-STREET PARKING OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
5. AN ORDINANCE AMENDING SECTION 1268.07 COMMON OPEN SPACE OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
6. AN ORDINANCE AMENDING SECTION 1268.12 EROSION AND SEDIMENTATION CONTROL OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
7. AN ORDINANCE AMENDING SECTION 1268.24 REVISION OF APPROVED FINAL DEVELOPMENT PLAN OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**

NEW BUSINESS

1. MOTION TO AUTHORIZE PAYMENT IN THE AMOUNT OF TWENTY EIGHT THOUSAND SIXTY FOUR DOLLARS AND NO CENTS (\$28,064.00) FOR THE ANNUAL SOFTWARE MAINTENANCE AND SUPPORT TO CENTRAL SQUARE TECHNOLOGIES.
2. MOTION TO APPROVE THE APPOINTMENT OF EMILY SMITH TO THE PARKS AND RECREATION BOARD TO FILL THE VACANCY.



LEGISLATION

1. ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,369,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, 2021 RENEWAL, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY. **(Third Reading)**
2. AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$250,000 PLAYGROUND EQUIPMENT BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY. **(Third Reading)**
3. AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,985,000 WATER SYSTEM IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2020, 2021 RENEWAL, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY. **(Third Reading)**
4. ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,604,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY. **(Third Reading)**
5. A RESOLUTION REQUESTING THE BUTLER COUNTY AUDITOR TO ADVANCE TO THE TREASURER OF THE CITY OF TRENTON, OHIO, TAXES ASSESSED AND COLLECTED FOR AND ON BEHALF OF THE CITY OF TRENTON, OHIO AND DECLARING AN EMERGENCY. **(Third Reading)**
6. AN ORDINANCE AMENDING SECTION 1268.02 PERMITTED USES; CATEGORIES OF PUDS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
7. AN ORDINANCE AMENDING SECTION 1268.03 AREA, DENSITY AND LOT REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**



8. AN ORDINANCE AMENDING SECTION 1268.04(a) INTERIOR STREETS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
9. AN ORDINANCE AMENDING SECTION 1268.06 OFF-STREET PARKING OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
10. AN ORDINANCE AMENDING SECTION 1268.07 COMMON OPEN SPACE OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
11. AN ORDINANCE AMENDING SECTION 1268.12 EROSION AND SEDIMENTATION CONTROL OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
12. AN ORDINANCE AMENDING SECTION 1268.24 REVISION OF APPROVED FINAL DEVELOPMENT PLAN OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO. **(Third Reading, Public hearing)**
13. AN ORDINANCE TO ACCEPT, MODIFY, OR REJECT THE FINAL PLAT (Record Plat) FOR ELK CREEK SECTION 10, SECTION 5, TOWN 1, RANGE 4E, CITY OF TRENTON, BUTLER COUNTY, OHIO, AND DECLARING AN EMERGENCY. **(First Reading, suspend Rules)**
14. A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM FOR OAKWOOD AND MEADOW LANES STREET AND WATER IMPROVEMENTS. **(First Reading, Suspend Rules)**
15. AN ORDINANCE AUTHORIZING THE ANNEXATION OF .057 ACRES OF LAND OWNED BY THE CITY OF TRENTON TO THE CITY AND AUTHORIZING THE CITY MANAGER TO PROSECUTE SUCH ACTION. **(First Reading)**



CITY OF
Trenton
OHIO

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REPORTS

AUDIENCE OF COUNCIL

ADJOURNMENT



City Council Work Session Minutes

September 16th, 2021

6:30 pm

Mayor Calvin Woodrey called the regular work session to order at 6:30pm. He then asked City Manager Marcos Nichols to begin with reports. CM Nichols asked Finance Director, Mike Engel to begin. He began by discussing the correspondence items, stating all fund balances are within their fund balance policy. Next he discussed the new business items: He had two Then and nows on the agenda, one for Univar USA for the floride for the water treatment plant, and also for Barrett Paving. He explained that these are just items that the invoice came before a P.O. was made so that a then and now was necessary to stay in compliance. Next he reviewed the motion to authorize the City to accept the 2020 Audit, an attachment is available per request regarding the audit, but overall the audit was good. He then discussed the Various BAN Ordinances, they are up for a second reading this evening. Finally he discussed the following Resolutions, Certifying Amounts and Rates to Butler County Auditor, which is up for a second reading and a request to suspend the rules and vote on this item this evening as it is due to the County's Auditors office before our next meeting. Last but not least we have the second reading of the resolution requesting Advance from Butler County Auditor, allowing us to receive our tax settlement early from the County.

Next Planning and Zoning Administrator, Bill Jones discussed Ordinances regarding Chapter 1268. He explained that these items would need to have a public hearing at the October 7th Council meeting. These items are in reference to residential PUD's. He then explained that Nick is preparing a training for the Planning commission meeting so that meetings are held as they should be. Councilman Nichols asked Bill if he felt the NIC was doing enough for the City as far as code enforcement, a discussion was had regarding how often we receive reports and whether or not they are making a difference. A discussion will be had again in the future in regards to this.

Mayor Calvin Woodrey asked Marcos if it was possible to get the Keith family, whom donated the park land to the City, a plaque or some kind of dedication of the new playground equipment to them when the new playground goes in.

Councilman Agee asked if Rob Leichman had reached out to Duke regarding the fiberglass streetlights as some of our streetlights seem to be a different color.

City Manager, Marcos Nichols had an Executive Session Request To consider confidential information related to marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance and to consider the purchase of property for public purposes. A motion to go into executive session by Vice Mayor Perry, followed by Councilman Agee. Roll call was taken; 7 ayes, 0 nays, 0 absent. Council went into executive session at 7:09pm

A motion to come out of executive session and to adjourn the work session at 7:36 was made by Vice Mayor Perry, followed by a second by Councilman Agee. Roll call was taken; 7 ayes, 0 nays, 0 absent. The Council work session was adjourned.

City of Trenton
REGULAR COUNCIL MEETING MINUTES
September 16th, 2021 - 7:30 p.m.

CALL TO ORDER

Mayor Calvin Woodrey called the regular meeting to order at 7:30pm.

PRAYER

Deacon Larry Gronas – Holy Name Catholic Church led us in prayer followed by the pledge of allegiance to our flag.

ROLL CALL

Council Clerk Laura Daley took roll call; all members of Council were present.

APPROVAL OF MINUTES

1. Minutes of the September 2, 2021 Work Session.
2. Minutes of the September 2, 2021 Council Meeting.
A motion to approve the minutes as written was made by Vice Mayor Perry and seconded by Councilwoman Harris, Roll call was taken; 7 ayes, 0 nays, 0 absent.

CORRESPONDENCE

1. Statement of Cash Position
2. Treasury Investment Report
3. Fund Balance Status Report
City Treasurer Mike Engel reviewed the correspondence, stating that all funds were within their fund balance recommendation levels and all were in compliance with our policy.

PRESENTATIONS

1. Emily Smith – Keys to your Dreams.
Emily presented to Council an idea of placing used pianos throughout the City to share music and art within our City limits. She discussed what the project would consist of and stated she would love to see this happening within the City limits. Council asked a few questions and it was decided to have the idea recommended to the Parks board.

AUDIENCE OF PUBLIC

None.

UNFINISHED BUSINESS

1. None.

PUBLIC HEARINGS

1. None.

NEW BUSINESS

1. A MOTION AUTHORIZING THE CITY MANAGER TO PAY FOR FLOURIDE FOR THE WATER PLANT, PAYABLE TO UNIVAR USA, INC., AT A COST OF \$6,520 AND FURTHER, AUTHORIZING THE TREASURER TO APPROVE THE THEN AND NOW CERTIFICATE RELATED THERETO IN COMPLIANCE WITH AND PURSUANT TO OHIO REVISED CODE SECTION 5705.41(D) AND CITY OF TRENTON RESOLUTION NO. 09-2012.

A MOTION TO AUTHORIZE WAS MADE BY VICE MAYOR PERRY, FOLLOWED BY A SECOND BY COUNCILMAN PERRY, ROLL CALL WAS TAKEN; 6 AYES, 1 NAYS, 0 ABSENT.

2. A MOTION AUTHORIZING THE CITY MANAGER TO PAY FOR THE WEST STATE STREET PAVING PROJECT, PAYABLE TO BARRETT PAVING MATERIALS INC., AT A COST OF \$320,482.80 AND FURTHER, AUTHORIZING THE TREASURER TO APPROVE THE THEN AND NOW CERTIFICATE RELATED THERETO IN COMPLIANCE WITH AND PURSUANT TO OHIO REVISED CODE SECTION 5705.41(D) AND CITY OF TRENTON RESOLUTION NO. 09-2012.

A MOTION TO AUTHORIZE WAS MADE BY VICE MAYOR PERRY, FOLLOWED BY A SECOND BY COUNCILWOMAN HARRIS, ROLL CALL WAS TAKEN; 7 AYES, 0 NAYS, 0 ABSENT.

3. A MOTION AUTHORIZING THE CITY OF TRENTON TO ACCEPT THE 2020 AUDIT AS CONDUCTED BY CLARK SCHAEFER HACKETT COMPANY AND RECENTLY APPROVED AND RELEASED BY THE AUDITOR OF STATE.

A MOTION TO AUTHORIZE WAS MADE BY VICE MAYOR PERRY, FOLLOWED BY A SECOND BY COUNCILWOMAN HARRIS, ROLL CALL WAS TAKEN; 7 AYES, 0 NAYS, 0 ABSENT.

LEGISLATION

A motion was made by Vice Mayor Perry, followed by a second by Councilman Nichols to read items 1 – 13 under legislation by title only. Roll call was taken; 6 ayes, 1 nay, 0 absent.

City Attorney Nick Ziepfel read items 1 – 13 by title only, pausing after item #5 to allow for a vote from Council.

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2. AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$250,000 PLAYGROUND EQUIPMENT BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY. **(Second Reading)**
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5. A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE BUTLER COUNTY AUDITOR AND DECLARING AN EMERGENCY. **(Second Reading, suspend rules)**
A motion to suspend the three readings and vote on this resolution was made by Vice Mayor Perry, followed by a second by Councilman Nichols. Roll call was taken; 7 ayes, 0 nays, 0 absent.
A motion was made to accept the resolution was made by Vice Mayor Perry, followed by Councilman Nichols. Roll call was taken; 7 ayes, 0 nays, 0 absent.
6. A RESOLUTION REQUESTING THE BUTLER COUNTY AUDITOR TO ADVANCE TO THE TREASURER OF THE CITY OF TRENTON, OHIO, TAXES ASSESSED AND COLLECTED FOR AND ON BEHALF OF THE CITY OF TRENTON, OHIO AND DECLARING AN EMERGENCY. **(Second Reading)**
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A motion was made by Vice Mayor Perry to have items 7 – 13 under legislation as a Public Hearing for the October 7th Council meeting, followed by a second by Councilman Harris. Roll call was taken; 7 ayes, 0 nays, 0 absent.

REPORTS

None.

AUDIENCE OF COUNCIL

Councilwoman Harris welcomed Emily, she feels her idea is a wonderful idea. She stated she went to State Street Coffee Ribbon cutting. She welcomed them to the community again as she loves to visit them. She then announced that Batman would be at the Comic book store on Saturday. Finally she reminded everyone of the Fall Festival at Community Park on October 2nd.

Councilwoman Combs stated ditto – She is very excited about everything that is happening in the City.

Councilman Perry stated he had the opportunity to attend the 9/11 memorial at the firehouse stating it was very nice. He then welcomed Emily, and then also welcomed state street coffee to the community.

Councilman Agee stated he was able to attend the 40th anniversary grand re-opening of Gold Star chili's ribbon cutting, as well as State street coffee's ribbon cutting. Very excited about both. Finally he wanted to honor Jerry Cook, fire fighter at New Miami, he passed away on 9/10/21, he wanted to let his family know they were in his prayers.

Councilman Nichols stated that he was happy the last movie in the park was a success, he kept track of how much popcorn he popped this time, and he was excited to say they went through 9.2 lbs of popcorn. Finally he stated that he really enjoyed the 9/11 memorial.

Vice Mayor Perry started by announcing the upcoming Fall Festival, vendors, 2 bands, poker, kids zone, video game truck, and more will be at the festival. Next he welcomed State street coffee and congratulated them on their ribbon cutting, he then thanked the EMA and the fire department for the 9/11 memorial. He finished by stating that he too felt the movies in the park were a great success with some of the biggest crowds this year, he then thanked everyone for coming.

Mayor Woodrey congratulated State street coffee on their ribbon cutting, also thank you to the EMA for the 9/11 remembrance ceremony, it was his privilege to speak. He then told Emily a pleasure to have you here, your dedication to the City. He finished by thanking Ryan and Ray for all they do for the movies in the parks.

ADJOURNMENT

Vice Mayor Perry made a motion, followed by a second by Councilman Agee to adjourn the regular Council meeting. Roll call was taken; 7 ayes, 0 nays, 0 absent.

The regular Council meeting was adjourned at 8:12pm.

City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Patrick J Carr, Chief of Police

Agenda Item: Motion to authorize the payment for annual software maintenance and support to Central Square Technologies.

Ordinance/Resolution/Motion <i>Motion</i>	1 st Reading Date: 2 nd Reading Date: 3 rd Reading Date: Motion Date: 10/7/2021 Resolution Date: Public Hearing Date:	
Contract	Contract Required:	Additional Document(s) Attached: Yes
Fiscal Impact	Budgeted: Yes	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: \$28,064.00	
	Source Funds: PD 218-2605	

Policy Issue

Does City Council wish to approve the payment for software maintenance & support?

Policy Alternative

City Council can choose to not approve the payment.

Staff Recommendation

Staff recommends that Council approve this payment.

Statutory/Policy Authority

- Article III, Legislative Action, of the Charter of the City of Trenton.

Fiscal Impact Summary

Fiscal impact to the City of Trenton for the payment is noted above as \$28,064.00.

Background Information

This invoice is part of the 5 year maintenance agreement that was signed in 2019 for the new CS software used for PD operations. This provides for maintenance & support of the installed software.

Attached Information

- Current quote and Pg. 38 of 2019 contract showing Recurring Subscriptions and Maintenance.



Invoice

Invoice No (1 of 1)

329763

Date

9/2/2021

Page

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Tritech Software Systems, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

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Ship To

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United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

	Description	Units	Rate	Extended
Contract No. Q-55691				
1	ZSuite Production Server Hardware Maintenance - Annual Maintenance Fee ZSuite Production Server Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$2,480.00	\$2,480.00
2	ZSuite Training/Testing Server Hardware Maintenance - Annual Maintenance Fee ZSuite Training/Testing Server Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,520.00	\$1,520.00
3	ZSuite Production NCIC Server Hardware Maintenance - Annual Maintenance Fee ZSuite Production NCIC Server Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
4	ZSuite Production GIS Server Hardware Maintenance - Annual Maintenance Fee ZSuite Production GIS Server Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
5	Esri Server License (Esri ArcGIS for Server Workgroup Standa - Annual Maintenance Fee Esri Server License (Esri ArcGIS for Server Workgroup Standard) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,250.00	\$1,250.00
6	Administration Core Annual Maintenance Fee - Annual Maintenance Fee Administration Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$600.00	\$600.00
7	Administration Core (Agency Site License) Annual Maintenance - Annual Maintenance Fee Administration Core (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$142.00	\$142.00
8	CAD Core Annual Maintenance Fee - Annual Maintenance Fee CAD Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$2,250.00	\$2,250.00



Invoice

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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

	Description	Units	Rate	Extended
9	CAD Core (Agency Site License) Annual Maintenance Fee - Annual Maintenance Fee CAD Core (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,687.00	\$1,687.00
10	CAD Advanced (Agency Site License) Annual Maintenance Fee - Annual Maintenance Fee CAD Advanced (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$563.00	\$563.00
11	CAD Core (Seat License) for Backup/Supervisor/Part-Time Work - Annual Maintenance Fee CAD Core (Seat License) for Backup/Supervisor/Part-Time Workstations Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
12	CAD Adv (Seat License)-Backup/Supervisor/Part-Time Workstns - Annual Maintenance Fee CAD Adv (Seat License)-Backup/Supervisor/Part-Time Workstns Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
13	CAD - Basic Paging (SMTP/Email) Interface Annual Maintenance - Annual Maintenance Fee CAD - Basic Paging (SMTP/Email) Interface Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
14	CAD - E911 (ANI/ALI) Interface Annual Maintenance Fee - Annual Maintenance Fee CAD - E911 (ANI/ALI) Interface Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
15	CAD - ESO Solutions Interface (Export) Annual Maintenance Fe - Annual Maintenance Fee CAD - ESO Solutions Interface (Export) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$825.00	\$825.00
16	CAD - Rip and Run (Fax/Email) Interface Annual Maintenance F - Annual Maintenance Fee CAD - Rip and Run (Fax/Email) Interface Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00



Invoice

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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

	Description	Units	Rate	Extended
17	Mapping Core Annual Maintenance Fee - Annual Maintenance Fee Mapping Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,800.00	\$1,800.00
18	Mapping Core (Agency Site License) for Full-Time CAD Worksta - Annual Maintenance Fee Mapping Core (Agency Site License) for Full-Time CAD Workstations Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$900.00	\$900.00
19	Mapping Core(Seat License): Backup/Supervisor/Part-Time Work - Annual Maintenance Fee Mapping Core(Seat License): Backup/Supervisor/Part-Time Workstations Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$135.00	\$135.00
20	Mobile Core Annual Maintenance Fee - Annual Maintenance Fee Mobile Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$750.00	\$750.00
21	Mobile CAD Annual Maintenance Fee - Annual Maintenance Fee Mobile CAD Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,080.00	\$1,080.00
22	Mobile eCitations Annual Maintenance Fee - Annual Maintenance Fee Mobile eCitations Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$840.00	\$840.00
23	Mobile Mapping Annual Maintenance Fee - Annual Maintenance Fee Mobile Mapping Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$2,640.00	\$2,640.00
24	Mobile NCIC Annual Maintenance Fee - Annual Maintenance Fee Mobile NCIC Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00



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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

	Description	Units	Rate	Extended
25	Mobile Records Annual Maintenance Fee - Annual Maintenance Fee Mobile Records Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$2,280.00	\$2,280.00
26	Personnel Core Annual Maintenance Fee - Annual Maintenance Fee Personnel Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
27	Personnel Core (Agency Site License) Annual Maintenance Fee - Annual Maintenance Fee Personnel Core (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
28	Personnel Advanced (Agency Site License) Annual Maintenance - Annual Maintenance Fee Personnel Advanced (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$327.00	\$327.00
29	Records Core Annual Maintenance Fee - Annual Maintenance Fee Records Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,125.00	\$1,125.00
30	Records Core (Agency Site License) Annual Maintenance Fee - Annual Maintenance Fee Records Core (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,215.00	\$1,215.00
31	Records Advanced (Agency Site License) Annual Maintenance Fe - Annual Maintenance Fee Records Advanced (Agency Site License) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$405.00	\$405.00
32	Records eCitations Annual Maintenance Fee - Annual Maintenance Fee Records eCitations Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$750.00	\$750.00



Invoice

Invoice No (1 of 1)
329763

Date
9/2/2021

Page
5 of 6

Tritech Software Systems, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Bill To
Trenton Police, OH
David Rosenfelder
11 E State St.
Trenton OH 45067-1439
United States

Ship To
Trenton Police, OH
David Rosenfelder
11 E State St.
Trenton OH 45067-1439
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

	Description	Units	Rate	Extended
33	Records eCitations State-Specific Form Annual Maintenance Fe - Annual Maintenance Fee Records eCitations State-Specific Form Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$750.00	\$750.00
34	Records - OH Crime Reporting (OIBRS) Interface Annual Mainte - Annual Maintenance Fee Records - OH Crime Reporting (OIBRS) Interface Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
35	Records - N-DEx Adapter (IA IEPD) Annual Maintenance Fee - Annual Maintenance Fee Records - N-DEx Adapter (IA IEPD) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
36	Reporting Core Annual Maintenance Fee - Annual Maintenance Fee Reporting Core Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
37	Reporting Universal Interface Engine Annual Maintenance Fee - Annual Maintenance Fee Reporting Universal Interface Engine Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00
38	ZSuite - OH LEADS/NCIC Interface (Basic Queries) Annual Main - Annual Maintenance Fee ZSuite - OH LEADS/NCIC Interface (Basic Queries) Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$1,750.00	\$1,750.00
39	ZSuite - Time Synchronization Interface Annual Maintenance F - Annual Maintenance Fee ZSuite - Time Synchronization Interface Maintenance: Start:10/20/2021, End: 10/19/2022	1	\$0.00	\$0.00



Invoice

Invoice No (1 of 1)
329763

Date
9/2/2021

Page
6 of 6

Tritech Software Systems, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Bill To
Trenton Police, OH
David Rosenfelder
11 E State St.
Trenton OH 45067-1439
United States

Ship To
Trenton Police, OH
David Rosenfelder
11 E State St.
Trenton OH 45067-1439
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
15023	Trenton Police, OH		USD	Net 30	10/19/2021

Please include invoice number(s) on your remittance advice,
made payable to Trittech Software Systems

Subtotal \$28,064.00

Tax \$0.00

ACH:

Routing Number 121000358

Account Number 1416612641

E-mail payment details to: Accounts.Receivable@CentralSquare.com

Invoice Total \$28,064.00

Check:

12709 Collection Center Drive

Chicago, IL 60693

Payments Applied \$0.00

Balance Due \$28,064.00

TOTALS			
Software and Servers Total			\$ 127,979
Subscriptions Total			Included
Peripheral Hardware Total			\$ 7,344
Services Total			\$ 63,877
TOTAL			\$ 199,201
Recurring (Subscriptions & Maintenance)			
Subscriptions (Year 1)	1		Included
Subscriptions (Year 2)	1		Included
Subscriptions (Year 3)	1		Included
Subscriptions (Year 4)	1		Included
Subscriptions (Year 5)	1		Included
Maintenance & Support (Year 1)	1		Included
Maintenance & Support (Year 2)	1		\$ 30,692
Maintenance & Support (Year 3)	1		\$ 32,226
Maintenance & Support (Year 4)	1		\$ 33,838
Maintenance & Support (Year 5)	1		\$ 35,530
Taxes are not included in the pricing.			

Motion

MOTION TO AUTHORIZE PAYMENT IN THE AMOUNT OF TWENTY EIGHT THOUSAND SIXTY FOUR DOLLARS AND NO CENTS (\$28,064.00) FOR THE ANNUAL SOFTWARE MAINTENANCE AND SUPPORT TO CENTRAL SQUARE TECHNOLOGIES.

Moved by _____ to authorize payment of twenty eight thousand sixty four dollars and no cents for the annual software maintenance and support to central square technologies.

Seconded by: _____

Upon roll call, the vote resulted as follows:

AYES: _____

NAYS: _____

ABSENT: _____

CERTIFICATION

I, the undersigned Clerk of Council hereby certify that the foregoing is a true and correct copy of the motion as passed by the Council of the City of Trenton, this 7th day of September, 2021.

CLERK OF COUNCIL

Motion

MOTION TO APPROVE THE APPOINTMENT OF EMILY SMITH TO THE PARKS AND RECREATION BOARD TO FILL THE VACANCY.

Moved by _____ to approve the appointment of Emily Smith to the parks and recreation board to fill the vacancy.

Seconded by: _____

Upon roll call, the vote resulted as follows:

AYES: _____

NAYS: _____

ABSENT: _____

CERTIFICATION

I, the undersigned Clerk of Council hereby certify that the foregoing is a true and correct copy of the motion as passed by the Council of the City of Trenton, this 7th day of October, 2021.

CLERK OF COUNCIL



City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council
Report From: Michael E. Engel, Treasurer
Agenda Item: An Ordinance providing for the issuance of \$1,369,000 Various Purpose Combining BANs 2021 Renewal

Ordinance/Resolution/Motion Ordinance	1 st Reading Date: 9/2/2021	Strategic Goals Connected Community Economic Vitality Operational Excellence Strong & Secure Neighbor General Operations
	2 nd Reading Date: 9/16/2021	
	3 rd Reading Date: 10/7/2021	
	Motion Date:	
	Resolution Date:	
	Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: Yes	Please see further, more detailed information regarding the fiscal impact in the summary section of this report.
	Expenditure: \$1,369,000	
	Source Funds: Various	

Policy Issue

Does City Council wish to adopt: Renewal from 2020 of Ordinance to form Combining Ordinance for Various Purpose BANs, Series 2021.

Policy Alternative

City Council can choose to not approve. Projects are already underway or completed. This renewal Ordinance combines multiple BAN ordinances for marketability and issuance advantages.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Ordinance.

Statutory/Policy Authority

- ORC and Ordinances of the City of Trenton.

Fiscal Impact Summary

To provide for the combining of various purpose BANs dated November of 2020, in order to gain sale and pricing advantages.

Background Information

This combining Ordinance combined the \$442,000 Equipment Acquisition BAN (radios and Police CAD), the \$500,000 Fire Truck Acquisition BAN, and the \$293,000 Water System Improvement BAN (Wayne-Madison Road); with the \$200,000 Sewer Main Extension BAN, the \$195,000 Public Works Building BAN, the \$140,000 Purchase of the Industrial Park Land BAN, the \$45,000 Utilities Extension BAN, and the \$200,000 Douglas Avenue Water Main Repair BAN. The paydowns on these various BANs brings the renewal amount down from \$2,015,000 to \$1,369,000.

CERTIFICATE OF MEMBERSHIP

The undersigned, City Manager of the City of Trenton, County of Butler, Ohio, hereby certifies that the following were the officers and members of Council during the period when proceedings were taken authorizing the issuance of not to exceed \$1,369,000 Various Purpose Bond Anticipation Notes, 2021 Renewal, dated the date of their issuance:

Mayor	<u>Calvin G. Woodrey</u>
Vice Mayor	<u>Ryan Perry</u>
City Manager	<u>Marcos Nichols</u>
Treasurer	<u>Michael E. Engel</u>
Member of Council	<u>Jennifer Harris</u>
Member of Council	<u>Jennifer J. Combs</u>
Member of Council	<u>Dale Perry</u>
Member of Council	<u>Cody Agee</u>
Member of Council	<u>Raymond L. Nichols</u>
Clerk of Council	<u>Laura Daley</u>
City Attorney	<u>Nicholas J. Ziepfel</u>

City Manager

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

The undersigned, being the fiscal officer of the City of Trenton, Ohio, within the meaning of Section 133.01 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$1,369,000 of bonds, for the purposes of renewing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems; (ii) making improvements to the municipal water system, including extension of water mains; and (iii) acquiring a new fire truck for the fire department; (iv) providing funds to construct sewer system improvements; (v) building a new building for the public works department; and (vi) making water system improvements in the City, is at least five (5) years and that the maximum maturity of said bonds, in accordance with Section 133.20 of the Uniform Public Securities Law of the Ohio Revised Code, is seventeen (17) years, and the maximum maturity of notes issued in anticipation thereof is eighteen (18) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of September, 2021.

Treasurer

CITY OF TRENTON, OHIO

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,369,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, 2021 RENEWAL, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City has previously issued bond anticipation notes which are outstanding in the amount of \$2,015,000, which are about to mature and which should be renewed in a reduced amount of \$1,369,000; and

WHEREAS, the fiscal officer of the City has estimated the life or period of usefulness of the improvements as at least five (5) years, and certified the maximum maturity of the bonds to be issued to finance the same as seventeen (17) years, and of notes issued in anticipation thereof as eighteen (18) years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Trenton (hereinafter called the "City"), Butler County, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Trenton, County of Butler, Ohio, in the principal amount of not to exceed \$1,369,000 bearing interest estimated at five per centum (5%) per annum and maturing over a period of not more than seventeen (17) years, for the purposes of permanently financing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems; (ii) making improvements to the municipal water system, including extension of water mains; and (iii) acquiring a new fire truck for the fire department; (iv) providing funds to construct sewer system improvements; and (v) building a new building for the public works department; and (vi) making water system improvements in the City.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$1,369,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed four percent (4%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Treasurer or the City Manager without further action by this Council, except that the denominations shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. The terms of such Notes, which shall be in compliance with Chapter 133 of the Ohio Revised Code, shall be set forth in a certificate of award (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Treasurer without further action by this council.

SECTION 4. That the Notes shall be executed by the City Manager and may but shall not be required to bear the seal of the corporation. The Notes shall be designated "Various Purpose

Bond Anticipation Notes, 2021 Renewal," and shall be payable at the office of the Treasurer of the City or such bank or trust company as is designated by the Treasurer or City Manager and the purchaser, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 5. The City Manager and Treasurer are hereby authorized to combine the Notes with two other issues of notes authorized under separate legislation purposes of (i) acquiring wellfields for the water department; and (ii) acquiring and installing playground equipment. If so combined, such consolidated issue of bonds shall be known as "Various Purpose Bond Anticipation Notes, Series 2021" and shall be dated, mature, and bear interest, be executed, and be denominated in a manner consistent with the provisions of this ordinance relating to the bonds authorized therein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 132.32 of the Revised Code to the respective purposes and funds in accordance with the amount of notes authorized by this ordinance and the amount of notes authorized by the ordinances providing for the issuance of not to exceed \$3,985,000 Water System Improvement Bond Anticipation Notes, Series 2020, 2021 Renewal; not to exceed \$250,000 Playground Equipment Bond Anticipation Notes.

SECTION 6. That the Notes shall be sold at public or private sale at not less than the par value of such Notes together with interest thereon, if any. The proceeds from such sale, except accrued interest thereon, shall be paid into the proper funds and used for the purpose aforesaid and for no other purpose. Accrued interest, if any, received on sale of said Notes shall be transferred to the bond retirement fund to be applied to the payment of principal of and interest on said Notes in the manner provided by law.

Notwithstanding the above, the Council and the Treasurer are hereby directed to withhold delivery of the notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City a certificate acknowledging that the original purchaser will sell the notes to no more than 35 persons, each of whom the original purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the notes.

The City Manager or the Treasurer is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the notes in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City revenues are available for such purpose said tax shall not be levied therefor.

SECTION 9. That this Council, for and on behalf of the City, hereby covenants that it will restrict the use of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The Treasurer or any other officer having responsibility with respect to the issuance of said Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Notes are hereby designated "tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code. The City does not anticipate issuing more than \$10,000,000 of "qualified tax-exempt obligations" during the current calendar year.

SECTION 10. That if required by the City's municipal advisor, this Council hereby authorizes and directs the Treasurer or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 12. That the firm of Dinsmore & Shohl LLP, is hereby engaged as the City's "bond counsel" pursuant to the engagement letter on file with the City.

SECTION 13. The City Manager or the Treasurer is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 14. That the Treasurer is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 16. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City for the reason that the immediate issuance of said Notes is required for the timely financing and refinancing of the projects to which this financing relates including obtaining a favorable interest rate, and it shall take effect immediately upon its adoption.

PASSED _____	Calvin G. Woodrey/s/ _____
AYES _____ NAYS _____	Mayor
ABSENT _____	Rules Suspended _____
First Reading _____	AYES _____ NAYS _____
Second Reading _____	ABSENT _____
Third Reading _____	

ATTEST:

Laura Daley/s/ _____
Clerk of Council

CERTIFICATE

I, undersigned Clerk of Council of the City of Trenton, Ohio hereby certify that the above Ordinance is a true and correct copy as passed by the Council of the City of Trenton, this 7th day of October, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified
this day to the Butler County Auditor.

Treasurer

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing
ordinance.

Butler County Auditor

Dated: _____

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Trenton, County of Butler, Ohio, met in _____ session, at _____.m., on the 7th day of October, 2021, at _____, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,369,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES. 2021 RENEWAL, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

M _____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

M _____ then moved that Ordinance

No. ____ be adopted. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted October 7, 2021.

CERTIFICATE

The undersigned, Clerk of Council of said municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said municipality, held on the 7th day of October, 2021, to the extent pertinent to consideration and adoption of the above-entitled obligation.

Clerk of Council



City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Michael E. Engel, Treasurer

Agenda Item: An Ordinance providing for the issuance of not to exceed \$250,000 Playground Equipment Bond Anticipation Notes.

Ordinance/Resolution/Motion <i>Ordinance</i>	1 st Reading Date: 9/2/2021	Strategic Goals Connected Community Economic Vitality Operational Excellence Strong & Secure Neighbor. General Operations
	2 nd Reading Date: 9/16/2021	
	3 rd Reading Date: 10/7/2021	
	Motion Date:	
	Resolution Date:	
	Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: No	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: \$250,000	
	Source Funds: Parks #132	

Policy Issue

Does City Council wish to adopt: This will provide for the funding mechanism to purchase playground equipment for Community Park.

Policy Alternative

City Council can choose to not approve. This much anticipated project is underway.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Ordinance.

Statutory/Policy Authority

- ORC and Ordinances of the City of Trenton.

Fiscal Impact Summary

This is a borrowing in the form of a Bond Anticipation Note, which will be paid down over time.

Background Information

This new playground equipment is needed to replace worn playground equipment at Community Park.

Attached Information

- No Attachment

CERTIFICATE OF MEMBERSHIP

The undersigned, City Manager of the City of Trenton, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of not to exceed \$250,000 Playground Equipment Bond Anticipation Notes dated their date of issuance:

Mayor	<u>Calvin G. Woodrey</u>
Vice Mayor	<u>Ryan Perry</u>
City Manager	<u>Marcos Nichols</u>
Treasurer	<u>Michael E. Engel</u>
Member of Council	<u>Jennifer Harris</u>
Member of Council	<u>Jennifer J. Combs</u>
Member of Council	<u>Dale Perry</u>
Member of Council	<u>Cody Agee</u>
Member of Council	<u>Raymond L. Nichols</u>
Clerk of Council	<u>Laura Daley</u>
City Attorney	<u>Nicholas J. Ziepfel</u>

City Manager

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in response to the request of the Council of the City of Trenton, County of Butler, Ohio, the Treasurer of the City of Trenton, Ohio, being the fiscal officer of the City of Trenton, Ohio, within the meaning of Section 133.21 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements to be acquired with the proceeds of the sale of not to exceed \$250,000 of notes, for the purpose of acquiring and installing playground equipment in the City, is at least five (5) years and that the maximum maturity of said bonds is ten (10) years and the maximum maturity of notes is fifteen (15) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of September, 2021.

Treasurer

CITY OF TRENTON, OHIO

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$250,000 PLAYGROUND EQUIPMENT BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 133 of the Ohio Revised Code provides authority for this Council of the City of Trenton (the "Council") to issue its notes to finance the cost of acquiring and installing playground equipment; and

WHEREAS, the fiscal officer of the City has heretofore estimated that the life of the hereinafter described improvements is at least five (5) years, and certified that the maximum maturity of the bonds is ten (10) years, and of the notes to be issued in anticipation thereof is fifteen (15) years; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Trenton (hereinafter called the "City"), County of Butler, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Trenton, County of Butler, Ohio, in the principal amount of not to exceed \$250,000, bearing interest estimated at five per centum (5%) per annum and maturing over a period of ten (10) years, for the purpose of acquiring and installing playground equipment, and related costs.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$250,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed four percent (4%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Treasurer or the City Manager without further action by this Council. The terms of such Notes shall be set forth in a certificate of award (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Treasurer without further action by this council.

SECTION 4. In any case in which redemption of the Notes is permitted or required, notice of redemption will be mailed by the Paying Agent and Registrar to the owners of the Notes or portions of Notes to be redeemed at the addresses shown in the registration records by regular mail at least 30 but not more than 60 days prior to the date of redemption, but in no event will such mailing be a condition precedent to redemption nor will failure to mail such notice affect the validity of the redemption proceedings.

SECTION 5. The City Manager and Treasurer are hereby authorized to combine the Notes with two other issues of notes authorized under separate legislation purposes of permanently financing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems; (ii) making improvements to the municipal water system, including extension of water mains; and (iii) acquiring a new fire truck for the fire department; (iv) providing funds to construct sewer system improvements; (vii) building a new building for the public works department; and (viii) making water system improvements in the City; and (vii) acquiring wellfields for the water department. If so combined, such consolidated issue of bonds shall be known as "Various Purpose Bond Anticipation Notes, Series 2021" and shall be dated, mature, and bear interest, be executed, and be denominated in a manner consistent with the provisions of this ordinance relating to the bonds authorized therein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 132.32 of the Revised Code to the respective purposes and funds in accordance with the amount of notes authorized by this ordinance and the amount of notes authorized by the ordinances providing for the issuance of not to exceed \$1,369,000 Various Purpose Bond Anticipation Notes, 2021 Renewal and not to exceed \$3,985,000 Water System Improvement Bond Anticipation Notes, Series 2020, 2021 Renewal.

SECTION 6. That the Notes shall be executed by the City Manager and shall bear the seal of the corporation. The Notes shall be designated "Playground Equipment Bond Anticipation Notes," and shall be payable at the office of the Treasurer of the City or such bank or trust company as is requested by the purchaser and approved by the Treasurer or the City Manager, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 7. That the Notes shall be sold by the Treasurer at public or private sale at a price of not less than the par value of the Notes plus accrued interest, and the proceeds from such sale, except any premium or accrued interest hereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose.

The City Manager or the Treasurer is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 8. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess funds resulting from the issue of the Notes, shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 9. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City monies are available and appropriated for such purpose said tax shall not be levied therefor.

SECTION 10. That the firm of Dinsmore & Shohl LLP, is hereby engaged as the City's "bond counsel" pursuant to the engagement letter on file with the City.

SECTION 11. The City Manager or the Treasurer is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 12. That if deemed necessary by the City's municipal advisor, this Council hereby authorizes and directs the Treasurer or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 13. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 14. That the Treasurer is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 16. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City for the reason that the immediate issuance of said Notes is required for the timely refinancing of the projects to which this financing relates including obtaining a favorable interest rate, and it shall take effect immediately upon its adoption.

PASSED _____	Calvin G. Woodrey/s/ _____
AYES _____ NAYS _____	Mayor
ABSENT _____	Rules Suspended _____
First Reading _____	AYES _____ NAYS _____
Second Reading _____	ABSENT _____
Third Reading _____	

ATTEST:

Laura Daley/s/ _____
Clerk of Council

CERTIFICATE

I, undersigned Clerk of Council of the City of Trenton, Ohio hereby certify that the above Ordinance is a true and correct copy as passed by the Council of the City of Trenton, this 7th day of October, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this
day to the County Auditor.

Treasurer

Date: _____, 2021

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing
Ordinance.

County Auditor

Date: _____, 2021

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Trenton, Ohio met in regular session at _____.m. on the 7th day of October, 2021 at its regular meeting place with the following members present:

There was present and read to Council Ordinance No. _____, entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT
TO EXCEED \$250,000 PLAYGROUND EQUIPMENT BOND
ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO,
IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND
DECLARING AN EMERGENCY.

M_. moved that Ordinance No. _____ be adopted. M_. seconded the motion and the roll being called upon the question, the vote resulted as follows:

The Ordinance was declared adopted October 7, 2021

CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said Municipality, held on the 7th day of October, 2021, to the extent pertinent to consideration and adoption of the above entitled legislation.

Clerk of Council



City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Michael E. Engel, Treasurer

Agenda Item: An Ordinance providing for the issuance of not to exceed \$3,985,000 Water System Improvement Bond Anticipation Notes, Series 2020, 2021 Renewal, by the City of Trenton, Ohio, in anticipation of the issuance of bonds, and declaring an emergency.

Ordinance/Resolution/Motion <i>Ordinance</i>	1 st Reading Date: 9/2/2021	Strategic Goals Connected Community Economic Vitality Operational Excellence Strong & Secure Neighbor General Operations
	2 nd Reading Date: 9/16/2021	
	3 rd Reading Date: 10/7/2021	
	Motion Reading Date:	
	Resolution Date:	
	Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: Yes	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: \$3,985,000 (Not to exceed) Debt	
	Source Funds: Water Fund	

Policy Issue

Does City Council wish to adopt? This would provide for a Renewal on a Bond Anticipation Note for the purpose of buying land for water system improvements.

Policy Alternative

City Council can choose to not approve: The successful purchase of the land has provided wellfield and water tower opportunity as well as development opportunity.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Ordinance.

Statutory/Policy Authority

- ORC and ordinances of the City of Trenton.

Fiscal Impact Summary

This is a borrowing in the form of a Bond Anticipation Note. The original note was in the amount of \$5,355,000, but with the sale of land, \$1,370,000 will be paid down.

Background Information

With the original Industrial park phase 1 land completely occupied, it is prudent to invest in additional undeveloped land, as well as provide for water system improvements.

Attached Information Agreement attached

CERTIFICATE OF MEMBERSHIP

The undersigned, City Manager of the City of Trenton, Ohio, hereby certifies that the following were the officers and members of Council during the period proceedings were taken authorizing the issuance of Not to Exceed \$3,985,000 Water System Improvement Bond Anticipation Notes, Series 2020, 2021 Renewal, dated their date of issuance:

Mayor	<u>Calvin G. Woodrey</u>
Vice Mayor	<u>Ryan Perry</u>
City Manager	<u>Marcos Nichols</u>
Treasurer	<u>Michael E. Engel</u>
Member of Council	<u>Jennifer Harris</u>
Member of Council	<u>Jennifer J. Combs</u>
Member of Council	<u>Dale Perry</u>
Member of Council	<u>Cody Agee</u>
Member of Council	<u>Raymond L. Nichols</u>
Clerk of Council	<u>Laura Daley</u>
City Attorney	<u>Nicholas J. Ziepfel</u>

City Manager

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

Based upon information provided by and in response to the request of the Council of the City of Trenton, County of Butler, Ohio, the Treasurer of the City of Trenton, Ohio, being the fiscal officer of the City of Trenton, Ohio, within the meaning of Section 133.21 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements to be acquired with the proceeds of the sale of not to exceed \$3,985,000 of notes, for the purpose of renewing notes originally issued for the purposes of acquiring real estate for wellfields for the water system in the City and all related improvements in the City, is a least five (5) years and that the maximum maturity of said bonds is thirty (30) years and the maximum maturity of notes is nineteen (19) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of September, 2021.

Treasurer

CITY OF TRENTON, OHIO

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,985,000 WATER SYSTEM IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2020, 2021 RENEWAL, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City has previously issued bond anticipation notes which are outstanding in the amount of \$5,355,000, which are about to mature and which should be renewed in a reduced amount of \$3,985,000; and

WHEREAS, Chapter 133 of the Ohio Revised Code provides authority for this Council of the City of Trenton (the "Council") to issue its notes to finance the cost of acquiring real estate for wellfields for the water system in the City and all related improvements in the City; and

WHEREAS, the fiscal officer of the City has heretofore estimated that the life of the hereinafter described improvements is at least five (5) years, and certified that the maximum maturity of the bonds is thirty (30) years, and of the notes to be issued in anticipation thereof is nineteen (19) years; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Trenton (hereinafter called the "City"), County of Butler, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Trenton, County of Butler, Ohio, in the principal amount of not to exceed \$3,985,000, bearing interest estimated at five per centum (5%) per annum and maturing over a period of thirty (30) years, for the purpose of acquiring real estate for wellfields for the City water system, and related costs.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$3,985,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed four percent (4%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Treasurer or the City Manager without further action by this Council. The terms of such Notes shall be set forth in a certificate of award (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Treasurer without further action by this council.

SECTION 4. In any case in which redemption of the Notes is permitted or required, notice of redemption will be mailed by the Paying Agent and Registrar to the owners of the

Notes or portions of Notes to be redeemed at the addresses shown in the registration records by regular mail at least 30 but not more than 60 days prior to the date of redemption, but in no event will such mailing be a condition precedent to redemption nor will failure to mail such notice affect the validity of the redemption proceedings.

SECTION 5. That the Notes shall be executed by the City Manager and shall bear the seal of the corporation. The Notes shall be designated "Water System Improvement Bond Anticipation Notes, Series 2020, 2021 Renewal" and shall be payable at the office of the Treasurer of the City or such bank or trust company as is requested by the purchaser and approved by the Treasurer or the City Manager, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 6. The City Manager and Treasurer are hereby authorized to combine the Notes with two other issues of notes authorized under separate legislation purposes of (i) providing funds to construct sewer system improvements; (ii) building a new building for the public works department; (iii) making water system improvements in the City; (iv) acquiring equipment for the municipal police, fire and public works department (v) acquiring a new fire truck (vi) making improvements to the water system and (vii) acquiring and installing playground equipment. If so combined, such consolidated issue of bonds shall be known as "Various Purpose Bond Anticipation Notes, Series 2021" and shall be dated, mature, and bear interest, be executed, and be denominated in a manner consistent with the provisions of this ordinance relating to the bonds authorized therein. The proceeds from the sale of such consolidated issue shall be apportioned, deposited and credited in accordance with Section 132.32 of the Revised Code to the respective purposes and funds in accordance with the amount of notes authorized by this ordinance and the amount of notes authorized by the ordinances providing for the issuance of not to exceed \$1,369,000 Various Purpose Bond Anticipation Notes, 2021 Renewal; not to exceed \$250,000 Playground Equipment Bond Anticipation Notes.

SECTION 7. That the Notes shall be sold by the Treasurer at public or private sale at a price of not less than the par value of the Notes plus accrued interest, and the proceeds from such sale, except any premium or accrued interest hereon, shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose.

The City Manager or the Treasurer is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 8. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value received from the sale of bonds anticipated by the Notes, and any excess fund resulting from the issue of the Notes, shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 9. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same

manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the bonds in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City monies are available and appropriated for such purpose said tax shall not be levied therefor.

SECTION 10. That the firm of Dinsmore & Shohl LLP, is hereby engaged as the City's "bond counsel" pursuant to the engagement letter on file with the City.

SECTION 11. The City Manager or the Treasurer is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 12. That if deemed necessary by the City's municipal advisor, this Council hereby authorizes and directs the Treasurer or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 13. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 14. That the Treasurer is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 16. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City for the reason that the immediate issuance of said Notes is required for the timely financing of the projects to which this financing relates including obtaining a favorable interest rate, and it shall take effect immediately upon its adoption.

PASSED _____
AYES _____ NAYS _____
ABSENT _____

Calvin G. Woodrey/s/ _____
Mayor
Rules Suspended _____

First Reading _____
Second Reading _____
Third Reading _____

AYES _____ NAYS _____
ABSENT _____

ATTEST:

Laura Daley/s/ _____
Clerk of Council

CERTIFICATE

I, undersigned Clerk of Council of the City of Trenton, Ohio hereby certify that the above Ordinance is a true and correct copy as passed by the Council of the City of Trenton, this ____ day of October, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this day to the County Auditor.

Treasurer

Date: _____, 2021

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing Ordinance.

County Auditor

Date: _____, 2021

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Trenton, Ohio met in regular session at _____.m. on the ____th day of October, 2021 at its regular meeting place with the following members present:

There was present and read to Council Ordinance No. _____, entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT
TO EXCEED \$3,985,000 WATER SYSTEM IMPROVEMENT
BOND ANTICIPATION NOTES, SERIES 2020, 2021 RENEWAL
BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF
THE ISSUANCE OF BONDS, AND DECLARING AN
EMERGENCY.

M_. moved that Ordinance No. _____ be adopted. M_. seconded the motion and the roll being called upon the question, the vote resulted as follows:

The Ordinance was declared adopted October, 2021

CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of said Municipality, held on the ____ day of October, 2021, to the extent pertinent to consideration and adoption of the above entitled legislation.

Clerk of Council



City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Michael E. Engel, Treasurer

Agenda Item: An Ordinance providing for the issuance of \$5,604,000 Various Purpose Combining BANs 2021 Renewal

Ordinance/Resolution/Motion <i>Ordinance</i>	1 st Reading Date: 9/2/2021	Strategic Goals Connected Community Economic Vitality Operational Excellence Strong & Secure Neighbor General Operations
	2 nd Reading Date: 9/16/2021	
	3 rd Reading Date: 10/7/2021	
	Motion Date:	
	Resolution Date:	
	Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: Yes	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: \$5,604,000	
	Source Funds: Various	

Policy Issue

Does City Council wish to adopt: Renewal of Ordinance to form Combining Ordinance for Various Purpose BANs, Series 2021.

Policy Alternative

City Council can choose to not approve. Projects are already underway or completed. This renewal Ordinance combines multiple BAN ordinances for marketability and issuance advantages.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Ordinance.

Statutory/Policy Authority

- ORC and Ordinances of the City of Trenton.

Fiscal Impact Summary

To provide for the combining of various purpose BANs dated November of 2021, in order to gain sale and pricing advantages.

Background Information

This combining Ordinance combines the \$296,000 Equipment Acquisition BAN (radios and Police CAD), the \$450,000 Fire Truck Acquisition BAN, the \$243,000 Water System Improvement BAN (Wayne-Madison Road); the \$100,000 Sewer Main Extension BAN, the \$130,000 Public Works Building BAN, the \$150,000 Douglas Avenue Water Main Repair BAN, the \$250,000 Playground Equipment BAN, and the \$3,985,000 Water System BAN.

CERTIFICATE OF MEMBERSHIP

The undersigned, City Manager of the City of Trenton, County of Butler, Ohio, hereby certifies that the following were the officers and members of Council during the period when proceedings were taken authorizing the issuance of not to exceed \$5,604,000 Various Purpose Bond Anticipation Notes, Series 2021, dated the date of their issuance:

Mayor	<u>Calvin G. Woodrey</u>
Vice Mayor	<u>Ryan Perry</u>
City Manager	<u>Marcos Nichols</u>
Treasurer	<u>Michael E. Engel</u>
Member of Council	<u>Jennifer Harris</u>
Member of Council	<u>Jennifer J. Combs</u>
Member of Council	<u>Dale Perry</u>
Member of Council	<u>Cody Agee</u>
Member of Council	<u>Raymond L. Nichols</u>
Clerk of Council	<u>Laura Daley</u>
City Attorney	<u>Nicholas J. Ziepfel</u>

City Manager

TRANSCRIPT CERTIFICATE

The undersigned, Clerk of Council of said Municipality, hereby certifies that the following is a true and complete transcript of all proceedings relating to the authorization and issuance of the above identified notes.

Clerk of Council

**CERTIFICATE AS TO MAXIMUM MATURITY OF
BONDS AND BOND ANTICIPATION NOTES**

The undersigned, being the fiscal officer of the City of Trenton, Ohio, within the meaning of Section 133.01 of the Uniform Public Securities Law of the Ohio Revised Code, hereby certifies to the City Council that the estimated life of the improvements financed with the proceeds of the sale of not to exceed \$5,604,000 of bonds, for the purposes of (1) renewing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems; (ii) making improvements to the municipal water system, including extension of water mains; (iii) acquiring a new fire truck for the fire department; (iv) providing funds to construct sewer system improvements; (v) building a new building for the public works department; and (vi) making water system improvements in the City; (2) acquiring and installing playground equipment; and (3) renewing notes originally issued for the purpose of acquiring real estate for wellfields for the City water system, is at least five (5) years and that the maximum maturity of said bonds, in accordance with Section 133.20 of the Uniform Public Securities Law of the Ohio Revised Code, is twenty-five (25) years, and the maximum maturity of notes issued in anticipation thereof is nineteen (19) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of September, 2021.

Treasurer

CITY OF TRENTON, OHIO

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,604,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has previously adopted three separate ordinances which authorized note issues in the aggregate principal amount of \$5,604,000, for the purposes of (1) renewing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems; (ii) making improvements to the municipal water system, including extension of water mains; (iii) acquiring a new fire truck for the fire department; (iv) providing funds to construct sewer system improvements; (v) building a new building for the public works department; and (vi) making water system improvements in the City; (2) acquiring and installing playground equipment; and (3) renewing notes originally issued for the purpose of acquiring real estate for wellfields for the City water system; and

WHEREAS, the City Council now desires to combine the separate note issuances into a single note issue to achieve certain cost savings; and

WHEREAS, the fiscal officer of the City has estimated the life or period of usefulness of the improvements as at least five (5) years, and certified the maximum maturity of the bonds to be issued to finance the same as twenty-five (25) years, and of notes issued in anticipation thereof as nineteen (19) years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Trenton (hereinafter called the "City"), Butler County, Ohio:

SECTION 1. That it is hereby declared necessary to issue bonds of the City of Trenton, County of Butler, Ohio, in the principal amount of not to exceed \$5,604,000 bearing interest estimated at five per centum (5%) per annum and maturing over a period of not more than twenty-five (25) years, for the purposes of (1) permanently financing notes originally issued for the purposes of (i) acquiring equipment for the municipal police, fire and public works departments, including radios and computer systems (\$296,000); (ii) making improvements to the municipal water system, including extension of water mains (\$243,000); and (iii) acquiring a new fire truck for the fire department (\$450,000); (iv) providing funds to construct sewer system improvements (100,000); and (v) building a new building for the public works department (\$130,000); and (vi) making water system improvements in the City (\$150,000); (2) acquiring and installing playground equipment (\$250,000); and (3) renewing notes originally issued for the purpose of acquiring real estate for wellfields for the City water system (\$3,985,000);.

SECTION 2. That it is hereby determined that notes (hereinafter called the "Notes") in the principal amount of not to exceed \$5,604,000 shall be issued in anticipation of the issuance of said bonds.

SECTION 3. That the Notes shall be dated their date of issuance, shall bear interest at the rate not to exceed four percent (4%) per annum, payable at maturity, shall mature not later than one year from the date of issuance, and shall be of the denomination or denominations as may be requested by the purchaser or purchasers thereof all as determined by the Treasurer or the City Manager without further action by this Council, except that the denominations shall be \$100,000 or any integral multiple of \$1,000 in excess of \$100,000. The terms of such Notes, which shall be in compliance with Chapter 133 of the Ohio Revised Code, shall be set forth in a certificate of award (the "Certificate of Award"), which is hereby authorized and which shall be executed by the City Manager or the Treasurer without further action by this council.

SECTION 4. That the Notes shall be executed by the City Manager and may but shall not be required to bear the seal of the corporation. The Notes shall be designated "Various Purpose Bond Anticipation Notes, Series 2021," and shall be payable at the office of the Treasurer of the City or such bank or trust company as is designated by the Treasurer or City Manager and the purchaser, and shall express upon their face the purpose for which they are issued and that they are issued in pursuance of this Ordinance.

SECTION 5. The proceeds from the sale of such consolidated issue shall be apportioned and credited in accordance with Section 133.32 of the Revised Code to the respective purposes and funds in accordance with the amount of bonds authorized by this ordinance and the amount of bonds authorized by the ordinances providing for the issuance of not to exceed \$1,369,000 Various Purpose Bond Anticipation Notes, 2021 Renewal; not to exceed \$3,985,000 Water System Improvement Bond Anticipation Notes, 2021 Renewal; and not to exceed \$250,000 Playground Equipment Bond Anticipation Notes.

SECTION 6. That the Notes shall be sold at public or private sale at not less than the par value of such Notes together with interest thereon, if any. The proceeds from such sale, except accrued interest thereon, shall be paid into the proper funds and used for the purpose aforesaid and for no other purpose. Accrued interest, if any, received on sale of said Notes shall be transferred to the bond retirement fund to be applied to the payment of principal of and interest on said Notes in the manner provided by law.

Notwithstanding the above, the Council and the Treasurer are hereby directed to withhold delivery of the notes, and to refuse to accept payment therefor, unless and until the original purchaser delivers to the City a certificate acknowledging that the original purchaser will sell the notes to no more than 35 persons, each of whom the original purchaser reasonably believes (i) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of the prospective investment and (ii) is not purchasing for more than one account or with a view to distributing the notes.

The City Manager or the Treasurer is hereby directed to report to this Council as soon after the sale and award of such notes as is reasonably feasible, the interest rate for such notes.

SECTION 7. That the Notes shall be the full general obligations of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same.

SECTION 8. That during the period while the Notes run there shall be levied upon all of the taxable property in the City, within applicable limitations, in addition to all other taxes, a direct

tax annually, not less than that which would have been levied if bonds had been issued without the prior issue of the Notes; said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required shall be placed in a separate and distinct fund and, together with interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest of the Notes, or the notes in anticipation of which they are issued, when and as the same fall due; provided, however, to the extent other City revenues are available for such purpose said tax shall not be levied therefor.

SECTION 9. That this Council, for and on behalf of the City, hereby covenants that it will restrict the use of the Notes hereby authorized in such manner and to such extent, if any, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The Treasurer or any other officer having responsibility with respect to the issuance of said Notes is authorized and directed to give an appropriate certificate on behalf of the City, on the date of delivery of said Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Notes are hereby designated "tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Code. The City does not anticipate issuing more than \$10,000,000 of "qualified tax-exempt obligations" during the current calendar year.

SECTION 10. That if required by the City's municipal advisor, this Council hereby authorizes and directs the Treasurer or the City Manager to take any and all actions which may be necessary to issue the notes in book-entry-only form or in such form as will render the notes eligible for the services of the Depository Trust Company, New York, New York without further action by this Council, including execution of all documents necessary therefore.

SECTION 11. All appropriate officers of the City are further authorized to make, execute, acknowledge and deliver such agreements, financing statements, closing certificates and other instruments or documents as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 12. That the firm of Dinsmore & Shohl LLP, is hereby engaged as the City's "bond counsel" pursuant to the engagement letter on file with the City.

SECTION 13. The City Manager or the Treasurer is hereby authorized to apply, if he deems it appropriate, for a rating on the Notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee or premium for said rating to the extent authorized by law and approved by bond counsel.

SECTION 14. That the Treasurer is hereby directed to forward a certified copy of this Ordinance to the County Auditor.

SECTION 15. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 16. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City for the reason that the immediate issuance of said Notes is required for the timely refinancing of the projects to which this financing relates including obtaining a favorable interest rate, and it shall take effect immediately upon its adoption.

PASSED _____	Calvin G. Woodrey/s/ _____
AYES _____ NAYS _____	Mayor _____
ABSENT _____	Rules Suspended _____
First Reading _____	AYES _____ NAYS _____
Second Reading _____	ABSENT _____
Third Reading _____	

ATTEST:

Laura Daley/s/ _____
Clerk of Council

CERTIFICATE

I, undersigned Clerk of Council of the City of Trenton, Ohio hereby certify that the above Ordinance is a true and correct copy as passed by the Council of the City of Trenton, this 7th day of October, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance
No. _____.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified
this day to the Butler County Auditor.

Treasurer

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing
ordinance.

Butler County Auditor

Dated: _____

EXTRACT FROM MINUTES OF MEETING

The Council of the City of Trenton, County of Butler, Ohio, met in _____ session, at _____.m., on the 7th day of October, 2021, at _____, with the following members present:

There was presented and read to Council Ordinance No. _____, entitled:

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,604,000 OF VARIOUS PURPOSE BOND ANTICIPATION NOTES, BY THE CITY OF TRENTON, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS, AND DECLARING AN EMERGENCY.

M _____ moved to suspend the rule requiring each ordinance or resolution to be read on three different days. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

M _____ then moved that Ordinance

No. ____ be adopted. M _____ seconded the motion and, the roll being called upon the question, the vote resulted as follows:

The ordinance was declared adopted October 7, 2021.

CERTIFICATE

The undersigned, Clerk of Council of said municipality, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the council of said municipality, held on the 7th day of October, 2021, to the extent pertinent to consideration and adoption of the above-entitled obligation.

Clerk of Council

City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Michael E. Engel, Treasurer

Agenda Item: Advance of taxes from the Butler County Auditor

Ordinance/Resolution/Motion <i>Resolution</i>	1 st Reading Date: 9/2/2021	Strategic Goals Connected Community Economic Vitality Operation Excellence Neighborhood General Operations
	2 nd Reading Date: 9/16/2021	
	3 rd Reading Date: 10/7/2021	
	Motion Date: Resolution Date: Final reading on 10/7/2021 Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: NA	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: NA	
	Source Funds: NA	

Policy Issue

Does City Council wish to adopt?: Advance of taxes allows the City to have use of those funds prior to the final settlements.

Policy Alternative

City Council can choose to not approve: It would be advantageous for the City of have use of these funds.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation.

Statutory/Policy Authority

- **ORC and Ordinances of the City of Trenton**

Fiscal Impact Summary

Interest earnings of several hundred dollars, and use of funds if needed for liquidity purposes.

Background Information

This is an annual exercise which allows the City to be paid some of the real estate tax settlement in advance of the final settlement.

Attached Information

NA

RESOLUTION NO. ---- 2021

A RESOLUTION REQUESTING THE BUTLER COUNTY AUDITOR TO ADVANCE TO THE TREASURER OF THE CITY OF TRENTON, OHIO, TAXES ASSESSED AND COLLECTED FOR AND ON BEHALF OF THE CITY OF TRENTON, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 321.34 provides that the Council of an Ohio municipal corporation may request from the appropriate County Auditor advance payment of tax funds assessed and collected for and on behalf of such municipal corporation; and

WHEREAS, the aforesaid statute requires that such request be made by a formal resolution and that such advance payment of tax funds be paid to the Treasurer of the municipal corporation;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TRENTON, STATE OF OHIO THAT:

Section 1: Pursuant to Ohio Revised Code Section 321.34, the Council of the City of Trenton, Ohio hereby request that the Butler County Auditor advance to the Treasurer of the City of Trenton, Ohio taxes assessed in 2021 for and on behalf of the City of Trenton and collected in 2022.

Section 2: This resolution is in the best interest of the public health, safety and general welfare and is therefore declared to be an emergency measure and shall be in full force and effect immediately upon its adoption.

Passed _____
AYES _____ NAYS _____
ABSENT _____
First Reading _____
Second Reading _____
Third Reading _____

Calvin Woodrey/s/ _____
Mayor
Rules Suspended:
AYES _____ NAYS _____
ABSENT _____

ATTEST:

Laura Daley/s/ _____
Clerk of Council

CERTIFICATION

I, the undersigned Clerk of Council of the City of Trenton, Ohio hereby certify that the above Resolution is a true and correct copy as passed by the Council of the City of Trenton, this _____ day of _____ 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council
 Report From: Bill Jones-Planning and Zoning
 Agenda Item: Ordinances amending sections 1268.02, 1268.03, 1268.04, 1268.06, 1268.07, 1268.12 and 1268.24 pertaining to Chapter 1268 Planned Unit Development Districts and Regulations.

Ordinance/Resolution/Motion <i>Ordinance</i>	1 st Reading Date: Sept 2, 2021 2 nd Reading Date: Sept 16, 2021 3 rd Reading Date: Oct 7, 2021 Motion Date: Resolution Date: Public Hearing Date: Oct 7, 2021	Strategic Goals Connected Community Economic Vitality Operational Excellence Strong & Secure Neighborhoods General Operations
Contract	Contract Required:	Additional Document(s) Attached:
Fiscal Impact	Budgeted: No	<i>Ordinance</i>
	Expenditure: none	
	Source Funds: na	

Policy Issue

After reviewing Chapter 1268 of the zoning code pertaining to Planned Unit Developments, Staff and Nick Ziepfel felt a few changes were in order to update this section of code.

Policy Alternative

None. This particular code has some confusing language and may need additional amendments.

Staff Recommendation

Staff recommends that these ordinances be passed.

Statutory/Policy Authority

- Article III, Legislative Action, of the Charter of the City of Trenton.

Fiscal Impact Summary

There will be no fiscal impact to the City.

Background Information

See Policy Issue above.

Attached Information

- Red Line review notes.
- Proposed City Ordinances for sections 1268.02, 1268.03, 1268.04, 1268.06, 1268.07, 1268.12 and 1268.24.

Chapter 1268
Planned unit Development Districts and Regulations
Red Line Review Notes
Bill Jones

1268.02 PERMITTED USES; CATEGORIES OF PUDS.

An application for PUD zoning shall specify the land use category being requested. An application may specify areas proposed to be developed under different PUD categories or under combinations of PUD categories and conventional zoning. Once PUD zoning is approved, land uses are limited by two factors: (1) the PUD category for which application was made; and (2) the authority and discretion of the Planning Commission, in its approval of the general plan as approved by Council and/or final development plan, to determine which of the allowable uses in the category may be permitted, in what combination, intensity and location, and under what conditions. PUDs may be applied for under any of the following land use categories:

- (a) Planned Unit Development–Residential (PUD-R) may allow any permitted use in any Residential Zoning District;
 - (b) Planned Unit Development–Office (PUD-O) may allow any permitted use in any Office Zoning District;
 - (c) Planned Unit Development–Commercial (PUD-C) may allow any permitted use in any Commercial Zoning District;
 - (d) Planned Unit Development–Industrial (PUD-I) may allow any permitted use in any Manufacturing Zoning District; and
 - (e) Planned Unit Development–Mixed Use (PUD-MU) may allow any combination of any permitted uses in any commercial, manufacturing, office, or residential zoning district.
- (Ord. 16-2003. Passed 5-1-03.)

1268.03 AREA, DENSITY AND LOT REGULATIONS.

(a) Minimum Area for Development. A PUD shall contain a minimum of 4-~~5~~ acres. All land within the development shall be contiguous in that it shall not be divided into segments by a tract of land not owned by the landowner of the PUD, a limited access highway, a collector street, a minor arterial street, or a principle arterial street. ~~or by a tract of land, other than~~ Only public or private Cul-de-sac streets and local streets containing ~~or rights-of-way for public or private utility transmission lines~~ utilities are permitted within a PUD unless otherwise approved by the Planning Commission. ~~not owned by the landowner of the PUD.~~

1268.04 INTERIOR STREETS.

(a) Interior streets shall be constructed according to City structural specifications, as delineated in the Subdivision Regulations, and properly lighted and maintained to conform with City ordinances. Their minimum paved roadway widths shall ordinarily be as delineated in the Subdivision Regulations and in the Thoroughfare Plan. However, approval of interior access streets with different nonstructural dimensions will be considered by the Planning Commission and Council where the developer can demonstrate substantial compliance with the Subdivision Regulations and Thoroughfare Plan and receive approval from the City Engineer. Approval of the PUD with such differences will constitute lawful approval of a waiver of the Subdivision Regulations and Thoroughfare Plan. Where streets are constructed pursuant to such a waiver, such streets shall be privately owned and maintained, and shall be constructed entirely within a public access easement unless otherwise approved by Planning Commission. All public access easements shall be designated on the general plan, the final development plan, and the record plan for each section of the development.

1268.06 OFF-STREET PARKING.

(a.) There shall be provided outside the public or private right-of-way the minimum number of parking spaces required in Chapter 1262 of this Zoning Code. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking or service areas may be required through ample use of trees, shrubs, hedges and screening devices.

(b.) All non-residential parking spaces and service drives shall be improved with bituminous, concrete or equivalent surfacing as approved by Staff and the City Engineer.

(c.) All residential parking spaces shall be improved with concrete or equivalent surfacing as approved by Staff and the City Engineer and so graded and drained to properly collect all surface water accumulation within the area. All paved areas in PUD districts shall be curbed to City street specifications unless waived by the Planning Commission for good cause.

1268.07 COMMON OPEN SPACE.

(a) Amount and Character.

(1) For PUD-R. A minimum of 25% of the total acreage, unless waived or amended by the Planning Commission for good cause, in a proposed development permitted by this chapter shall be dedicated to public and/or private open space or recreation facilities available to all occupants of the PUD. This open space shall not include dwellings, streets, parking areas, or residential lots. Such open space shall be clearly shown on the general plan and shall be physically situated so as to be readily accessible, available to and usable by all residents of the PUD. Water retention and detention areas may be included in common open space if attractively developed.

1268.12 EROSION AND SEDIMENTATION CONTROL.

Effective erosion and sedimentation controls shall be planned and applied according to the following principles:

- ~~—(a) The smallest practical area of land should be exposed at anyone time during development.~~
- ~~—(b) When land is exposed during development, the exposure should be kept to the shortest practical period of time.~~
- ~~—(c) Temporary vegetation and/or mulching shall be used to protect critical areas exposed during development.~~
- ~~—(d) Sediment basins (debris basins or silt traps) shall be installed and maintained to remove sediment from runoff waters from land undergoing development.~~
- ~~—(e) Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.~~
- ~~—(f) Permanent final vegetation and structures shall be installed as soon as practical in the development.~~
- ~~—(g) The development shall be fitted to the topography and soils so as to create the least erosion potential.~~
- ~~—(h) Wherever feasible, natural vegetation should be retained and protected. Development of the PUD must conform to the any City tree ordinance that may be in effect at the time the general plan is submitted.~~

~~(Ord. 16-2003, Passed 5-1-03.)~~ the requirements per section 1212.05 SOIL AND WATER MANAGEMENT STANDARDS of the City code.

1268.21 FINAL DEVELOPMENT PLAN APPROVAL.

The Planning Commission shall approve, modify and approve, or deny an application for approval of a final development plan within a reasonable time after the date of such application. Upon approval of the final development plan by the Commission, the Commission shall:

- (a) Furnish the developer with written notice of approval;
- (b) Authorize the issuance of a zoning certificate for each structure indicated in the approved final development plan; and

(c) See to it that the final development plan is recorded. The recorded final development plan shall incorporate the approved general plan by reference. Approval of a final development plan does not obligate the City Council to approve the record plan. Planning Commission approval of a final development plan is a necessary precondition to consideration and approval of a record plan.

(Ord. 16-2003. Passed 5-1-03.) AND ↓

1268.22 PUD APPLICATION STEP 3: RECORD PLAN.

(a) Within 6 months of approval of the final development plan for any specific area within the project or for the overall project, a record plan for the area shown on the final development plan shall be submitted in accordance with Chapter 1214 of the Subdivision Regulations.

(b) Documents. At the time record plans are filed with the Planning Commission, the developer shall also file:

(1) Cost estimates for all public improvements in the subdivision plan; and

(2) Other documents and assurances required by the Subdivision Regulations.

(c) Final Approval by Planning Commission. Within 60 days after the record plan is filed, with all necessary documents and exhibits, the Commission shall approve, approve and modify or disapprove the record plan and forward its recommendation to City Council.

(d) Final Approval by Council. Within 90 days after approval by the Commission of the record plan, Council shall approve, modify and approve, or disapprove it.

(e) Recording. Upon Council approval of the record plan, the Commission shall notify the applicant. Upon payment of the required fee by the applicant and compliance with all subdivision regulations, the developer shall within 10 days thereafter file the record plan with the Butler County Recorder. The developer shall record the approved final development plan simultaneously with the record plan.

(Ord. 16-2003. Passed 5-1-03.)

1268.24 REVISION OF APPROVED FINAL DEVELOPMENT PLAN.

~~The record plan shall conform to the approved final development plan. The applicant and his or her successors and assigns shall make no alterations, addition or deletions to the approved final development plan or to the related documents. Major changes may not be made unless and until a revised final development plan is processed and approved in accordance with this chapter. If a major change materially alters any feature of the project for which a submittal was required for general plan approval, revision of the general plan and review by the City Council shall be required. Minor changes may be approved by the Planning Commission City staff without submission of a revised final development plan.~~

~~(Ord. 16-2003. Passed 5-1-03.)~~

Final development plans may be amended as follows:

(a.) Major Changes.

Changes that alter the intent of the final development plan, including increases or decreases in area, increases in density, changes in the location or amount of non-residential land use, reductions of proposed open space, significant redesign of roadways, drainage, and housing type and distribution, shall be reviewed by the Planning Commission for approval as stated in section 1268.21 of this chapter.

(b.) Moderate Changes.

The Planning and Zoning Administrator, after consultation with the Staff and/or the City Engineer, may

authorize structural dimensional changes such as lot lines provided that they do not increase density, changes in building heights by not more than ten (10) feet, and changes in building setbacks by not more than fifteen (15) feet, provided the perimeter setbacks, yards and buffers remain in compliance. Moderate changes do not require a Public Hearing or Planning Commission review and approval.

(c.) Minor Changes.

The Planning and Zoning Administrator, after consultation with the Staff and/or the City Engineer, may authorize minor adjustments in the final development plan that become necessary because of field conditions, detailed engineering data, topography or critical design criteria. The Planning and Zoning Administrator, after consultation with staff and/or the City Engineer, may approve these minor adjustments to revise size and location of drainage ways, sewers, roadways, retaining walls or similar features and to substitute landscape materials in light of technical or engineering considerations.

Minor changes do not require a Public Hearing or Planning Commission review and approval.

(d.) Nothing in this section shall preclude any property owner to carry out routine maintenance and repair of facilities located within an approved final development plan, provided that such maintenance and repair do not violate the approved final development plan.

ORDINANCE NO. _____-2021

AN ORDINANCE AMENDING SECTION 1268.02 PERMITTED USES; CATEGORIES OF PUDS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it relates to PUD regulations within the City of Trenton; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TRENTON, OHIO:

SECTION 1: That Section 1268.02 of the Code of Ordinances of the City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____

ATTEST: _____

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

1268.02 PERMITTED USES; CATEGORIES OF PUDS.

An application for PUD zoning shall specify the land use category being requested. An application may specify areas proposed to be developed under different PUD categories or under combinations of PUD categories and conventional zoning. Once PUD zoning is approved, land uses are limited by two factors: (1) the PUD category for which application was made; and (2) the authority and discretion of the Planning Commission, in its **recommendation for** approval of the general plan as ~~approved by Council~~ and/or final development plan, to determine which of the allowable uses in the category may be permitted, in what combination, intensity and location, and under what conditions. PUDs may be applied for under any of the following land use categories:

- (a) Planned Unit Development-Residential (PUD-R) may allow any permitted use in any Residential Zoning District;
- (b) Planned Unit Development-Office (PUD-O) may allow any permitted use in any Office Zoning District;
- (c) Planned Unit Development-Commercial (PUD-C) may allow any permitted use in any Commercial Zoning District;
- (d) Planned Unit Development-Industrial (PUD-I) may allow any permitted use in any Manufacturing Zoning District; and
- (e) Planned Unit Development-Mixed Use (PUD-MU) may allow any combination of any permitted uses in any commercial, manufacturing, office, or residential zoning district.

(Ord. 16-2003. Passed 5-1-03.)

EXHIBIT A

1268.02 PERMITTED USES; CATEGORIES OF PUDS.

An application for PUD zoning shall specify the land use category being requested. An application may specify areas proposed to be developed under different PUD categories or under combinations of PUD categories and conventional zoning. Once PUD zoning is approved, land uses are limited by two factors: (1) the PUD category for which application was made; and (2) the authority and discretion of the Planning Commission, in its recommendation for approval of the general plan as approved by Council and/or final development plan, to determine which of the allowable uses in the category may be permitted, in what combination, intensity and location, and under what conditions. PUDs may be applied for under any of the following land use categories:

- (a) Planned Unit Development-Residential (PUD-R) may allow any permitted use in any Residential Zoning District;
- (b) Planned Unit Development-Office (PUD-O) may allow any permitted use in any Office Zoning District;
- (c) Planned Unit Development-Commercial (PUD-C) may allow any permitted use in any Commercial Zoning District;
- (d) Planned Unit Development-Industrial (PUD-I) may allow any permitted use in any Manufacturing Zoning District; and
- (e) Planned Unit Development-Mixed Use (PUD-MU) may allow any combination of any permitted uses in any commercial, manufacturing, office, or residential zoning district.

ORDINANCE NO. _____ -2021

**AN ORDINANCE AMENDING SECTION 1268.03 AREA, DENSITY AND LOT
REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON,
OHIO.**

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it relates to PUD regulations within the City of Trenton; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TRENTON, OHIO:**

SECTION 1: That Section 1268.03 of the Code of Ordinances of the City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.03 AREA, DENSITY AND LOT REGULATIONS.

(a) Minimum Area for Development. A PUD shall contain a minimum of 5 acres. All land within the development shall be contiguous in that it shall not be divided into segments by a tract of land not owned by the landowner of the PUD, a limited access highway, a collector street, a minor arterial street, or a principle arterial street. Only public or private Cul-de-sac streets and local streets containing rights-of-way for public or private utilities are permitted within a PUD unless otherwise approved by the Planning Commission.

ORDINANCE NO. _____-2021

AN ORDINANCE AMENDING SECTION 1268.04(a) INTERIOR STREETS OF THE
CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it
relates to PUD regulations within the City of Trenton; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TRENTON, OHIO:

SECTION 1: That Section 1268.04 (a) INTERIOR STREETS of the Code of Ordinances of the
City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A,
attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest
period allowed by law.

PASSED: _____

Effective Date: _____

ATTEST: _____

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the
foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the
City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected
members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.04 INTERIOR STREETS.

(a) Interior streets shall be constructed according to City structural specifications, as delineated in the Subdivision Regulations, and properly lighted and maintained to conform with City ordinances. Their minimum paved roadway widths shall ordinarily be as delineated in the Subdivision Regulations and in the Thoroughfare Plan. However, approval of interior access streets with different nonstructural dimensions will be considered by the Planning Commission and Council where the developer can demonstrate substantial compliance with the Subdivision Regulations and Thoroughfare Plan and receive approval from the City Engineer. Approval of the PUD with such differences will constitute lawful approval of a waiver of the Subdivision Regulations and Thoroughfare Plan. Where streets are constructed pursuant to such a waiver, such streets shall be privately owned and maintained, and shall be constructed entirely within a public access easement unless otherwise approved by Planning Commission. All public access easements shall be designated on the general plan, the final development plan, and the record plan for each section of the development.

ORDINANCE NO. _____ -2021

**AN ORDINANCE AMENDING SECTION 1268.06 OFF-STREET PARKING OF THE
CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.**

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it relates to PUD regulations within the City of Trenton; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TRENTON, OHIO:**

SECTION 1: That Section 1268.06 of the Code of Ordinances of the City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:

Effective Date:

ATTEST:

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.06 OFF-STREET PARKING.

(a.) There shall be provided outside the public or private right-of-way the minimum number of parking spaces required in Chapter 1262 of this Zoning Code. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking or service areas may be required through ample use of trees, shrubs, hedges and screening devices.

(b.) All non-residential parking spaces and service drives shall be improved with bituminous, concrete or equivalent surfacing as approved by Staff and the City Engineer.

(c.) All residential parking spaces shall be improved with concrete or equivalent surfacing as approved by Staff and the City Engineer and so graded and drained to properly collect all surface water accumulation within the area. All paved areas in PUD districts shall be curbed to City street specifications unless waived by the Planning Commission for good cause.

ORDINANCE NO. _____-2021

AN ORDINANCE AMENDING SECTION 1268.07 COMMON OPEN SPACE OF THE
CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it
relates to PUD regulations within the City of Trenton; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
TRENTON, OHIO:

SECTION 1: That Section 1268.07 of the Code of Ordinances of the City of Trenton, Ohio is
hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and
made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest
period allowed by law.

PASSED: _____

Effective Date: _____

ATTEST: _____

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the
foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of
the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the
elected members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.07 COMMON OPEN SPACE.

(a) Amount and Character.

(1) For PUD-R. A minimum of 25% of the total acreage, unless waived or amended by the Planning Commission for good cause, in a proposed development permitted by this chapter shall be dedicated to public and/or private open space or recreation facilities available to all occupants of the PUD. This open space shall not include dwellings, streets, parking areas, or residential lots. Such open space shall be clearly shown on the general plan and shall be physically situated so as to be readily accessible, available to and usable by all residents of the PUD. Water retention and detention areas may be included in common open space if attractively developed.

ORDINANCE NO. _____ -2021

AN ORDINANCE AMENDING SECTION 1268.12 EROSION AND SEDIMENTATION CONTROL OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it relates to PUD regulations within the City of Trenton; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TRENTON, OHIO:

SECTION 1: That Section 1268.12 of the Code of Ordinances of the City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____

ATTEST: _____

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.12 EROSION AND SEDIMENTATION CONTROL

Effective erosion and sedimentation controls shall be planned and applied according to the requirements per section 1212.05 SOIL AND WATER MANAGEMENT STANDARDS of the City code.

ORDINANCE NO. _____ -2021

AN ORDINANCE AMENDING SECTION 1268.24 REVISION OF APPROVED FINAL DEVELOPMENT PLAN OF THE CODIFIED ORDINANCES OF THE CITY OF TRENTON, OHIO.

WHEREAS, it is the desire of City Administration to amend the codified ordinances as it relates to PUD regulations within the City of Trenton; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TRENTON, OHIO:

SECTION 1: That Section 1268.24 of the Code of Ordinances of the City of Trenton, Ohio is hereby deleted in its entirety and replaced with that set forth on Exhibit A, attached hereto and made a part hereof.

SECTION 2: That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:

Effective Date:

ATTEST:

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

EXHIBIT A

1268.24 REVISION OF APPROVED FINAL DEVELOPMENT PLAN.

Final development plans may be amended as follows:

(a.) Major Changes.

Changes that alter the intent of the final development plan, including increases or decreases in area, increases in density, changes in the location or amount of non-residential land use, reductions of proposed open space, significant redesign of roadways, drainage, and housing type and distribution, shall be reviewed by the Planning Commission for approval as stated in section 1268.21 of this chapter.

(b.) Moderate Changes.

The Planning and Zoning Administrator, after consultation with the Staff and/or the City Engineer, may authorize structural dimensional changes such as lot lines provided that they do not increase density, changes in building heights by not more than ten (10) feet, and changes in building setbacks by not more than fifteen (15) feet, provided the perimeter setbacks, yards and buffers remain in compliance. Moderate changes do not require a Public Hearing or Planning Commission review and approval.

(c.) Minor Changes.

The Planning and Zoning Administrator, after consultation with the Staff and/or the City Engineer, may authorize minor adjustments in the final development plan that become necessary because of field conditions, detailed engineering data, topography or critical design criteria. The Planning and Zoning Administrator, after consultation with staff and/or the City Engineer, may approve these minor adjustments to revise size and location of drainage ways, sewers, roadways, retaining walls or similar features and to substitute landscape materials in light of technical or engineering considerations. Minor changes do not require a Public Hearing or Planning Commission review and approval.

(d.) Nothing in this section shall preclude any property owner to carry out routine maintenance and repair of facilities located within an approved



July 15, 2021

final development plan, provided that such maintenance and repair do not violate the approved final development plan.

City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: Planning and Zoning-Bill Jones

Agenda Item: Approval of the final plat for Elk Creek Section 10.

Ordinance/Resolution/Motion <i>Ordinance</i>	1 st Reading Date: October 7, 2021 2 nd Reading Date: Request waived 3 rd Reading Date: Request Waived Motion Date: Resolution Date Public Hearing Date:	
Contract	Contract Required: No	Additional Document(s) Attached:
Fiscal Impact	Budgeted: NO	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report.</i>
	Expenditure: NONE	
	Source Funds: NONE	

Policy Issue

DR Horton, 8180 Corporate Park Dr. STE 100, developer of Elk Creek Section 10, has completed the necessary steps to move on to gain final plat approval from City Council.

Policy Alternative

None.

Staff Recommendation

Staff has reviewed the final plat, along with our City Engineer and approve. On 09-13-21, the final plat was reviewed by the Planning Commission and they did make the recommendation for Council to approve.

Statutory/Policy Authority

- Part Twelve – Planning and Zoning Code

Background Information

None.

Attached Information

- Final plat submittal
- Ordinance

ORDINANCE NO. 00-2021

AN ORDINANCE TO ACCEPT, MODIFY, OR REJECT THE FINAL PLAT (Record Plat) FOR ELK CREEK SECTION 10, SECTION 5, TOWN 1, RANGE 4E, CITY OF TRENTON, BUTLER COUNTY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, on September 13, 2021, the Trenton Planning Commission reviewed the conformance of the Final Plat for Elk Creek, Section 9 with the Preliminary Plat and made a recommendation to City Council for approval.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TRENTON, STATE OF OHIO:

Section 1. That the final plat for Elk Creek, Section 10, as per Exhibit A attached hereto, and, by reference, made a part hereof, be approved.

Section 2. This Ordinance being necessary for the preservation of the welfare of citizens of Trenton, Ohio, and this Ordinance shall become effective immediately upon its passage by Council.

PASSED _____
AYES _____ NAYS _____
ABSENT _____
First Reading _____
Second Reading _____
Third Reading _____
ATTEST:

Calvin Woodrey/s/ _____
Mayor
Rules Suspended _____
AYES _____ NAYS _____
ABSENT _____

Laura Daley/s/ _____
CLERK OF COUNCIL

CERTIFICATION

I, the undersigned Clerk of Council of the City of Trenton, Ohio hereby certify on this ____ day of _____, 2021 that the above Ordinance is a true and correct copy as passed by the Council of the City of Trenton and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

[illegible]

MARK ALLAN BROWELL, DR. HORTON-INGRAMA ETC.

STATE OF OHIO, S.S.
COUNTY OF BUTLER

BE IT KNOWN THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME ALAN BOBENILL, OF 28 HORTON LLC, WHO ACKNOWLEDGED THE SIGNING HEREOF TO BE HIS VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN CONTAINED, IN TESTIMONY WHEREOF, I HAVE AFFIXED MY HAND AND AFFIRMED BY MY PUBLIC SEAL ON THE DAY AND YEAR FORESAID.

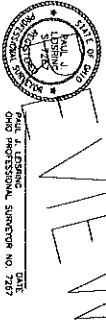
[illegible][illegible]

(1) ANY LOT TRANSFERRED SHALL HAVE A UNIFORM WITH ANY AREA SUBSTANTIALLY THE SAME AS SHOWN ON THE ACCOMPANYING PLAT AND ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

(2) ANY FUTURE SPLITTING OF ANY LOT THAT RESULTS IN AN ADDITIONAL BUILDING SITE BEING CREATED SHALL BE DONE BY PLAT ONLY.

THE STREETS SHOWN SAID SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS ON FILE WITH THE SERVICE DIVISION FOR THE CITY OF INDIANAPOLIS. THE STREETS SHALL BE CONSTRUCTED, WITH THE EXCEPTION OF THE CORNER, WITHIN ONE YEAR AND SHALL BE MAINTAINED AND REPT IN REPAIR FOR A PERIOD OF ONE YEAR FROM THE DATE THE CONSTRUCTED STREETS ARE ACCEPTED BY THE CITY OF INDIANAPOLIS.

CERTIFICATION BY A REGISTERED SURVEYOR TO THE EFFECT THAT THE PLAT REPRESENTS A SURVEY MADE BY THE SURVEYOR AND THAT ALL MONUMENTS INDICATED ON THE FINAL SUBDIVISION PLAT THEREON ACTUALLY EXIST OR WILL BE PLACED AT THE COMPLETION OF CONSTRUCTION AND THEIR LOCATION, SIZE AND MATERIAL ARE CORRECTLY SHOWN.



BEING A REPLAT OF PART OF LOT 1532

CONGRESS LANDS WEST OF THE MIAMI RIVER

**CITY OF TRENTON
BUTLER COUNTY, OHIO**

MARK A. BIRDWELL
[317] 844-0433
MAB@wellconnect.com

2. THE PLANS ARE SUBJECT TO FUTURE REVISIONS OF THE COUNTY BOARD OF HEALTH.
3. THE LOT NUMBERS ON THIS PLAN REFLECT A GAP BECAUSE OF PRERECORDED LOT NUMBERS.

FRONT=35
REAR=25
SIDES=6' MIN/15' TOTAL

TOTAL LOTS = 6

1. IT IS UNDERSTOOD THAT THE CITY OF TRENTON WILL NOT BE ABLE TO ISSUE ANY CONNECTION PERMITS OR BUILDING PERMITS UNTIL THE ORO ENVIRONMENTAL PROTECTION AGENCY (OEPA) HAS APPROVED THE PLANS FOR THE PROPOSED



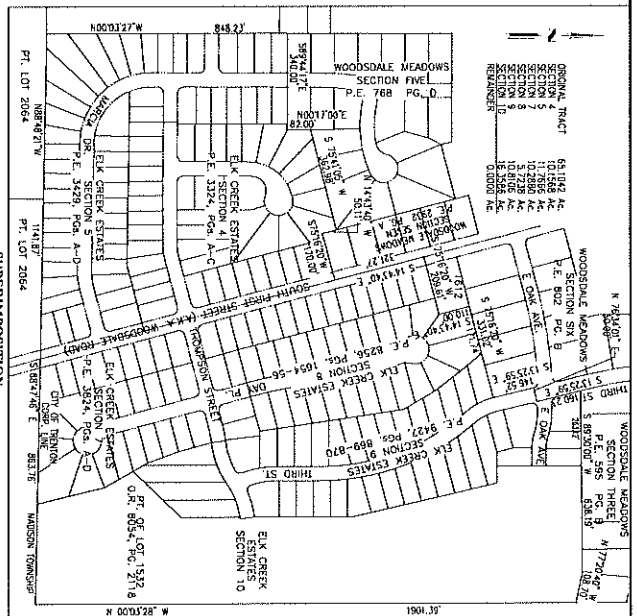
IN THE EVENT THAT THE PLANNING COMMISSION HAS REQUIRED OR APPROVED ONE OR MORE PUBLIC ACCESS ELEMENTS WITHIN THE SUBDIVISION, THESE AREAS OF THE FINAL PLAT SHALL BE DESIGNATED AND LABELED AS PUBLIC ACCESS ELEMENTS ON THE FINAL PLAN, AND THE FOLLOWING NOTATION SHALL BE PROVIDED ON THE FINAL PLAT:

ALL AREAS DESIGNATED AS PUBLIC ACCESS ELEMENTS SHALL BE SUBJECT TO THE FOLLOWING COVENANTS:

(3) NO PUBLIC ACCESS CASUALTY MAY BE BLOCKED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OF PEORIA.

(2) THIS STREET TO BE EXTENDED IN THE FUTURE SHALL BE ADDED TO STREET'S WHERE FUTURE EXPANSION IS PLANNED.

(10) IF LOWER LEVELS ARE CONSTRUCTED, IT IS THE RESPONSIBILITY OF THE BUILDER TO TAKE SPECIAL PRECAUTIONS TO ENSURE THAT THE INTERIOR OF THE STRUCTURE STAYS DRY.



THE CITY COUNSEL FOR THE CITY OF BRENTON, BULLEN COUNTY,
 DOES SO HEREBY APPROVE AND ACCEPT THE DEDICATION OF LAND FOR
 THE STREETS AS SHOWN ON THIS PLAN OF BULK CROWN ESTATES SECTION 10
 DAY OF _____, 2005.

ACCEPTED BY THE BOARD OF HEALTH, BUTLER COUNTY, OHIO, THIS _____ DAY OF _____, 20____.

SECRETARY SANITARIAN _____

ENTERED 3 04 1995 BY SP-1 DAY 0 11 20
BUREAU COUNTY ADDITION DEPUTY

FILED FOR RECORD THIS _____ DAY OF _____
AT _____ DAY, FILE NO. _____ DAY, RECORDED THIS _____
OF _____, 20 _____ IN DIVISION _____
PAGE _____, FILE # _____

REASONSON
2
DEY



From: [Jim Kleingers](#)
To: [Bill Jones](#)
Cc: [Rob Leichman](#)
Subject: RE: Elk Creek Estates 10
Date: Monday, August 23, 2021 3:39:16 PM

Bill —

It looks like all previous comments have been addressed satisfactorily. I have no further comments. I think they are good to go. Do you need anything else from me?

Jim

James B. Kleingers

THE KLEINGERS GROUP



From: Bill Jones <bjones@ci.trenton.oh.us>
Sent: Monday, August 23, 2021 2:36 PM
To: Rob Leichman <Rob@CityofTrenton.com>; Jim Kleingers <jim.kleingers@kleingers.com>
Subject: FW: Elk Creek Estates 10

[EXTERNAL]

Gentlemen: We need to review this for final plat submittal. I know that we have done this before but this is the latest submittal. Bill

From: Apex Engineering & Surveying [<mailto:apexengineering@sbcglobal.net>]
Sent: Monday, August 23, 2021 12:02 PM
To: Bill Jones <bjones@ci.trenton.oh.us>; Mark Allan Bridwell <mabridwell@drhorton.com>; Jim Kleingers <jim.kleingers@kleingers.com>; Rob Leichman <Rob@CityofTrenton.com>
Subject: Fw: Elk Creek Estates 10

Bill,

See attached the final plat for EC 10. This has been reviewed and approved by Butler Co. and Jim K. We are ready to move forward with getting this recorded. What steps are left for getting final approval from the city and being able to put this on mylar and begin getting signatures?

Thanks

Josh Liles, PE
Apex Engineering & Surveying, Inc.
1068 North University Blvd.
Middletown, OH 45042

(513) 424-5202
fax: (513) 424-6202

----- Forwarded Message -----

From: Apex Engineering & Surveying <apexengineering@sbcglobal.net>
To: Jim Kleingers <jim.kleingers@kleingers.com>; Rob Leichman <rob@cityoftrenton.com>; Bill Jones <bjones@cityoftrenton.com>
Sent: Friday, August 13, 2021, 09:51:16 AM EDT
Subject: Fw: Elk Creek Estates 10

Jim,

See below. Paul sent this on July 15th. I'm not sure if this covered your comments from June or not, but I think it does. He's out with surgery for a couple weeks, so if there are further revisions required, just let me know.

Thanks

Josh Liles, PE
Apex Engineering & Surveying, Inc.
1068 North University Blvd.
Middletown, OH 45042
(513) 424-5202
fax: (513) 424-6202

----- Forwarded Message -----

From: Apex Engineering & Surveying <apexengineering@sbcglobal.net>
To: Jim Kleingers <jim.kleingers@kleingers.com>; Bill Jones <bjones@ci.trenton.oh.us>; Rob Leichman <rob@cityoftrenton.com>
Sent: Thursday, July 15, 2021, 2:28:10 PM EDT
Subject: Elk Creek Estates 10

To all
See the attached plat for review.
Paul

Apex Engineering & Surveying, Inc.
1068 North University Blvd.
Middletown, OH 45042
(513) 424-5202
fax: (513) 424-6202



City Council Meeting Staff Report

Report to: The Honorable Mayor Calvin Woodrey & Members of the City Council

Report From: James A. Foster, Economic Development Director

Agenda Item: A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM. . . .(for Oakwood and Meadow Lanes street and water improvements)

Ordinance/Resolution/Motion <i>Resolution</i>	1 st Reading Date: October 7, 2021 2 nd Reading Date: None 3 rd Reading Date: None Motion Date: Resolution Date: October 7, 2021 Public Hearing Date:	Strategic Goals Strong & Secure Neighborhoods General Operations
Contract	Contract Required:	Additional Document(s) Attached:
Fiscal Impact	Budgeted: Yes Expenditure: \$273,840 Source Funds: Street and Water funds and in the process of collection – needed July 2022	<i>None</i>

Policy Issue

Does City Council wish to adopt Resolution authorizing the City Manager to apply for these funds?

Policy Alternative

City Council can choose to not approve this Resolution; the City would not qualify for funding.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary Resolution.

Statutory/Policy Authority

- Article III, Legislative Action, of the Charter of the City of Trenton.

Fiscal Impact Summary

Request is for \$\$263,092; the City will find \$273,840 to do the street and water improvements.

Background Information

See above.

Attached Information N/A

RESOLUTION NO 00-2021

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT
AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION
STATE CAPITAL IMPROVEMENT PROGRAM FOR OAKWOOD AND MEADOW
LANES STREET AND WATER IMPROVEMENTS, AND DECLARING AN
EMERGENCY.**

WHEREAS, the Ohio Public works commission state capital improvement
Program provide financial assistance to political subdivisions for Oakwood and Meadow
Lanes Street and Water improvements; and

WHEREAS, the City of Trenton desires to continue to be able to access these
funds; and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF TRENTON, OHIO:**

SECTION 1. The City Manager is hereby authorized to submit an application
to participate in the Ohio Public Works Commission State
Capital Improvement program.

SECTION 2. The City Manager is further authorized to enter into any other
agreement as may be necessary and appropriate for obtaining
this financial assistance.

SECTION 3. This Resolution is declared to be an emergency measure for the
purpose of completing the refurbishment as quickly as possible
in order to provide for financial assistance, by preserving and
protecting the health, safety and welfare of the citizens of
Trenton. This resolution is therefore declared to be an emergency
measure and shall be in full force and effective immediately
upon its adoption.

PASSED _____
AYES _____ NAYS _____
ABSENT _____
First Reading _____
Second Reading _____
Third Reading _____

Calvin G. Woodrey/s/ _____
Mayor
Rules Suspended _____
AYES _____ NAYS _____
ABSENT _____

ATTEST:
Laura Daley/s/ _____
Clerk of Council

AN ORDINANCE AUTHORIZING THE ANNEXATION OF .057 ACRES OF LAND OWNED BY THE CITY OF TRENTON TO THE CITY AND AUTHORIZING THE CITY MANAGER TO PROSECUTE SUCH ACTION.

WHEREAS, the City of Trenton, Ohio, an Ohio municipal corporation, is the sole owner of .057 acres of property currently located in Madison Township, Ohio which property is contiguous with the City of Trenton municipal boundary; and

WHEREAS, R.C. 709.13 *et seq.* provides the manner and method of annexation by a municipality for municipal-owned land; and

WHEREAS, The City of Trenton, Ohio, an Ohio municipal corporation, is desirous of annexing such property located in Madison Township to the City of Trenton pursuant to R.C. 709.13 *et seq.*; and

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Trenton, Ohio:

Section 1: The City of Trenton, Ohio, by a majority of members elected to City Council, hereby authorize the annexation of .057 acres of land located in Madison Township, Ohio which is wholly owned by the City of Trenton, Ohio, to be annexed into the City of Trenton, Ohio, and City Council further directs, empowers, and authorizes the City's Law Director, Nicholas J. Ziepfel, and Marcos Nichols, as the certified agent for petitioner, to cause the annexation petition to be prepared, filed, and heard by the Butler County Commissioners in accordance with R.C. 709.15, and to otherwise prosecute the proceedings necessary to effect the annexation.

Section 2: That City Council hereby authorizes, empowers and directs the City Manager to sign a petition for annexation of .057 acres located along Kennel Road to the City of Trenton on behalf of the City (hereinafter referenced as the "Petition"). A true and accurate copy of the Petition is attached hereto as Exhibit 1 and made a part hereof. The property to be annexed is more accurately described in Exhibits B and C to the Petition.

Section 3: That any act of any agent, advisor, or employee of the City and of any person designated or authorized to act by the City Manager or the Law Director, which act would have been authorized by the foregoing resolutions except that such act was taken prior to the adoption of such resolutions, is hereby ratified, confirmed, approved and adopted as the act of the City.

Section 4: That this ordinance is passed pursuant to R.C. 709.14 *et seq.* by a majority of the members elected to the City Council of the City of Trenton, Ohio.

Section 5: Upon completion of the annexation, the clerk is authorized and directed to file the necessary documents with the Ohio Secretary of State, the county auditor and the county recorder.

Section 6: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____
Effective Date: _____
ATTEST: _____

Calvin Woodrey, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the City of Trenton, Ohio, Ohio, hereby certify that the foregoing Ordinance No. _____ is a true and correct copy as passed by the Council of the City of Trenton, Ohio on the ____ day of _____, 2021 and that at least a majority of the elected members voted in the affirmative on said motion.

Clerk of Council

10834299.1



File # 2021-00050367

Page: 4 of 7

BK **9715** PG **1813**

EXHIBIT A

Legal Description

11130745.1



CINCINNATI
COLUMBUS
DAYTON
LOUISVILLE

6219 Centre Park Drive
West Chester, OH 45069
phone ► 513.779.7851
fax ► 513.779.7852
www.kleingers.com

Legal Description
0.057 acres

Situated in Section 7, Town 1, Range 4, Congress Lands West of the Miami River, Madison Township, Butler County, Ohio being part of a 36.303 acre tract conveyed to PSI Energy Inc. in O.R. 7011 Pg.1358 the boundary of which being more particularly described as follows:

Beginning at a found stone at the southeast corner of said Section 7;

Thence along the south line of Section 7, N89°58'39"W a distance of 1176.81 feet to a found 5/8" iron pin;

Thence N00°20'40" E a distance of 1380.79 feet witness a found 5/8" iron pin lying 0.4 feet north and 0.3 feet west;

Thence N89°58'39"W a distance of 871.45 feet witness a found 5/8" iron pin lying 0.3 feet south;

Thence N00°20'40"E a distance of 1079.75 feet to a found 5/8" iron pin;

Thence N87°11'30"W a distance of 1045.20 feet to a found 5/8" iron pin;

Thence N00°20'40"E, a distance of 1500.73 feet to a found 5/8" iron pin at the northwest corner of a 50.742 acre tract conveyed to KAM Land Co, LLC in OR 9687 Page 482, said point being the Real Point of Beginning for this description;

Thence along a new division line, N87°43'17"W, a distance of 74.53 feet to a set 5/8" iron pin in the east line of a 38.021 acre tract conveyed to Butler County Port Authority in OR 9103 Page 1119;

Thence along said west line, N00°20'40"E, a distance of 33.02 feet to a found mag nail in the centerline of Kennel Road;

Thence along said centerline, S87°43'17"E, a distance of 74.53 feet to a found mag nail at a northwest corner of an original 132.07 acre tract conveyed to The City of Trenton, Ohio in OR 9595 Page 1365;

Thence with a west line of said 132.07 acre tract, S00°20'40"W, a distance of 33.02 feet to the Point of Beginning.

Containing 0.057 acres of land, more or less and being subject to easements, restrictions and rights of way of record.



File # 2021-00050367

Page: 6 of 7

BK **9715** PG **1815**

Bearings are based on Ohio State Plane Coordinate System South Zone (OSPC) as derived from the Ohio Department of Transportation's Virtual Reference Stationing (VRS). (NAD83) based on a bearing of S87°43'17"E along the centerline of Kennel Road.

The above description is based on a field survey performed by The Kleingers Group December 2020 under the direct supervision of Randy C. Wolfe, Ohio Professional Surveyor No. 8033.

Randy C. Wolfe 8-16-21
Randy C. Wolfe Date
Ohio Professional Surveyor No. 8033



VOLUME 63 PAGE 4
BUTLER COUNTY ENGINEER
LAND
RECORD OF SURVEYS

APPROVED
BY AMM 8-27-2021

APPROVED BY
BUTLER COUNTY PLANNING COMMISSION
FOR THE PURPOSES OF CONVEYANCE OF
TITLE, DOES NOT CONSTITUTE A ZONING
CERTIFICATE OR BUILDING PERMIT.
NO FURTHER REQUIRED

[Signature]
8/31/21

CERTIFICATE OF ASSISTANT SECRETARY

DUKE ENERGY INDIANA, LLC

I, Nancy M. Wright, DO HEREBY CERTIFY that I am the duly elected, qualified and acting Assistant Secretary of Duke Energy Indiana, LLC, a limited liability company incorporated and existing under the laws of Indiana (the "Company"), and that as such Assistant Secretary, I have custody of the corporate records (other than the accounting records), that I am authorized to execute and deliver this certificate and that the information set forth herein, is true and correct.

I DO HEREBY FURTHER CERTIFY that the following named individuals have due authorization to sign on behalf of the Company as of this date:

Heather Jones Barsallo

Managing Director, Operational
Performance and Land Services

Eric Daniel Rathburn

Director, Land Services

Kevin M. Jennings

Manager, Land Services II

✱ Timothy D. Wiley

Manager, Land Services I

IN WITNESS WHEREOF, I have hereunto subscribed my name this 5th day of October, 2020.

Nancy M. Wright
Assistant Secretary
Duke Energy Indiana, LLC

PETITION FOR ANNEXATION
OF .057 ACRES, MORE OR LESS,
IN MADISON TOWNSHIP, BUTLER COUNTY, OHIO
TO THE CITY OF TRENTON, OHIO
PURSUANT TO OHIO REVISED CODE SECTION 709.13 ET SEQ.

TO: THE BOARD OF COUNTY COMMISSIONERS OF
BUTLER COUNTY, OHIO

Now comes the undersigned petitioner, being the sole (100%) owner of .057 acres, more or less, located in Madison Township, Butler County, Ohio and identified by Butler County Parcel No. E2310.004.000.014 (the "Property") and requests that the Property be annexed into the City of Trenton, Ohio (the "City"). The Property proposed for annexation was transferred to the City on or about August 31, 2021 by virtue of Quit Claim Deed from Duke Energy Indiana, LLC, an Indiana limited liability company, formerly named PSI Energy, Inc., and Indiana corporation, which such Quit Claim deed is recorded in Book 9715, Page 1810 of the Butler County, Ohio Recorder's Office. The Property to be annexed is contiguous territory owned by the municipal corporation seeking annexation. City Ordinance No. 5000 (the "Ordinance"), passed after three readings by a majority of City Council on [Date], has authorized that the Property be annexed. The undersigned understands the property will not be excluded from the township.

A copy of the Ordinance is attached hereto and made a part hereof as Exhibit A. An accurate legal description of the perimeter of the Property is attached hereto and made a part hereof as Exhibit B. An accurate plat of the Property is attached hereto and made a part hereof as Exhibit C.

Marcos Nichols, City Manager, of the City of Trenton, Ohio, is hereby appointed agent for the undersigned petitioners, and said petitioners' agent is hereby authorized to make any amendments and/or deletions which in her absolute discretion are proper under the circumstances

then existing. In addition, the petitioners' agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Butler County Board of County Commissioners on, before or after the date set for review of this petition unless otherwise specified by law.

NAME

ADDRESS

DATE

City of Trenton, Ohio
an Ohio municipal corporation

11 East State Street
Trenton, Ohio 45067

By: Marcos Nicholas

Its: _____

EXHIBIT A
[ORDINANCE]

EXHIBIT B

[LEGAL DESCRIPTION]

EXHIBIT C

[PLAT]

10831795.1






THE KLEINGERS GROUP

CIVIL ENGINEERING
SURVEYING
LANDSCAPE ARCHITECTURE

www.kleingers.com
8319 Cullen Park Dr.
Mason, OH 45040
513-791-8800





SEAL

NO. DATE DESCRIPTION
1 1-1-2021 DEDICATION PLAT - NPS

PLAT OF SURVEY
0.057 ACRES
SECTION 7, TOWN 1, RANGE 4,
CONGRESS LANDS WEST OF THE
MIAMI RIVER
MADISON TOWNSHIP,
BUTLER COUNTY, OHIO

PROJECT NO: 120209VSD071
DATE: 8-17-2021
SCALE: 1" = 20'
SHEET NAME:

PSI ENERGY INC

1 OF 1

0.057 ACRES

North: 53084.8667' East: 142011.9650'
Course: S00°20'40"W Length: 33.02'
North: 53081.7873' East: 142011.6665'
Course: N87°43'17"W Length: 74.53'
North: 53084.7422' East: 141937.4052'
Course: N00°20'40"E Length: 33.02'
North: 53087.7616' East: 141937.6037'
Course: S87°43'17"E Length: 74.53'
North: 53084.8667' East: 142011.9650'
Perimeter: 214.68' Area: 0.057 acres
Error Closure: 0.0000 Course: N00°00'00"E
Error North: 0.0000 Error East: 0.0000
Precision: 1:21468000.00

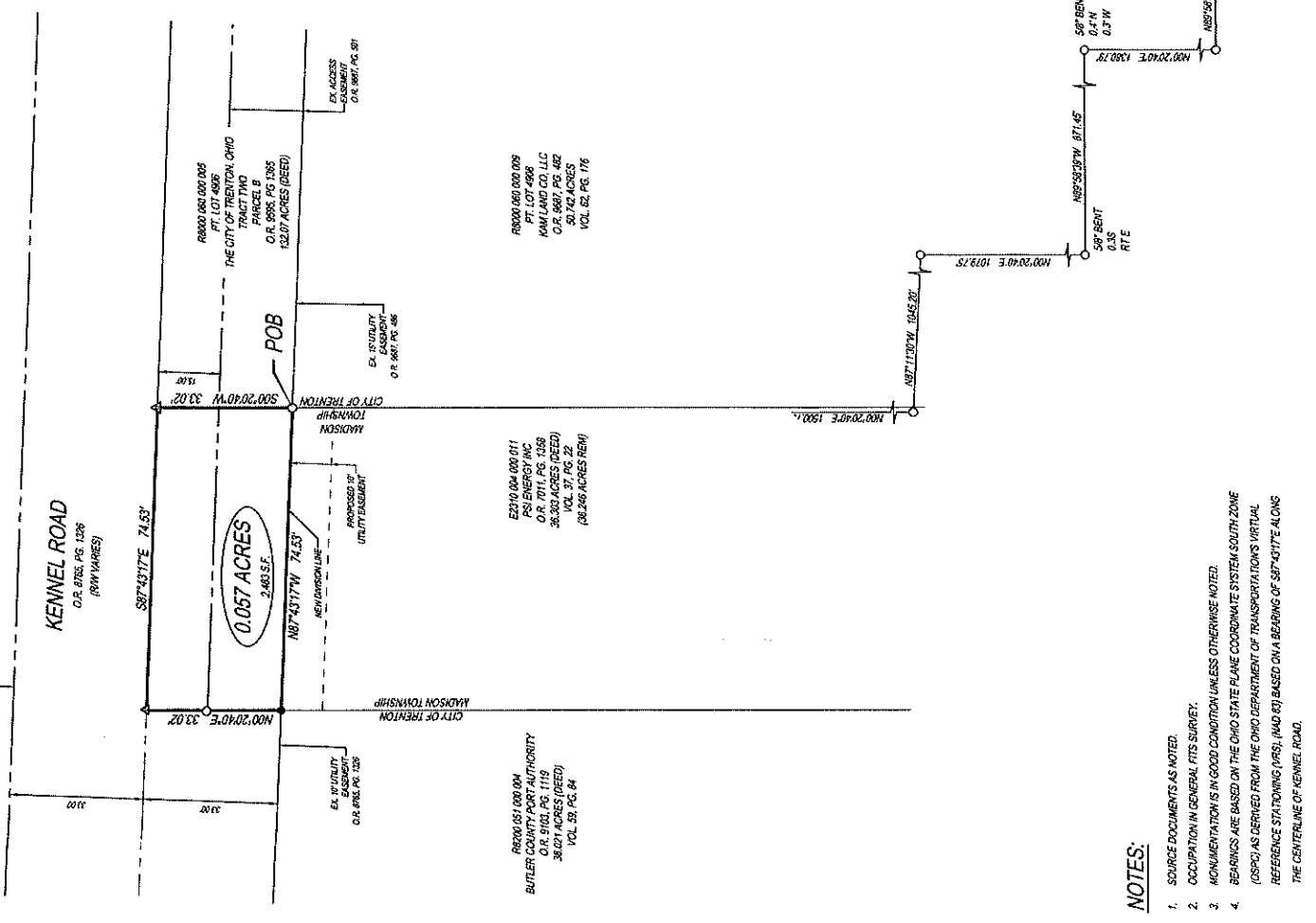
LEGEND

- ▲ MAGNOL FOUND
- △ MAGNOL SET
- 5/8" IRON PIN FOUND
- 5/8" IRON PIN SET
- ▭ ASPHALT

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY
DIRECTION AND IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER
4733.07 MINIMUM STANDARDS FOR BOUNDARY SURVEYS. ALL MONUMENTATION
HAS BEEN SET AS SHOWN.

Randy C. Wolfe 8-16-21
RANDY C. WOLFE DATE
OHIO PROFESSIONAL SURVEYOR NO. 8033



NOTES:

- SOURCE DOCUMENTS AS NOTED.
- OCCUPATION IN GENERAL, FITS SURVEY.
- MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
- BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE (OSPD) AS DERIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION'S VERTICAL REFERENCE STATIONING (VRS). (NAD 83) BASED ON A BEARING OF S87°43'17"E ALONG THE CENTERLINE OF KENNEL ROAD.

TRANSFERRED
DATE 8-31-21
CONVEYANCE —
FEE \$ —
EXEMPT 58352 *Q*

Roger Reynolds, Butler Co. Auditor

This conveyance has been examined and the grantor has complied with Sec 319.202 of the ORC.



Recorded: 08/31/2021 02:31 PM Page: 1 of 7
File # 2021-00050367 Fee Amt: \$74.00
BUTLER County, Ohio DANNY N. CRANK, Recorder
BK **9715** PG **1810**

QUITCLAIM DEED

DUKE ENERGY INDIANA, LLC, an Indiana limited liability company, formerly named PSI ENERGY, INC., an Indiana corporation (the "Grantor"), for valuable consideration paid, grants and quitclaims, subject to and excepting therefrom all non-delinquent real estate taxes and assessments, if any, and all zoning ordinances, legal highways, easements, reservations, limitations, restrictions of record, to **THE CITY OF TRENTON, OHIO, an Ohio municipal corporation**, whose tax-mailing address is 11 East State Street, Trenton, Ohio 45067 (the "Grantee"), the following **REAL PROPERTY**:

See the attached legal description of that certain .057 acre tract, prepared by The Kleingers Group, attached hereto as Exhibit A and made a part hereof.

Auditor's Parcel Number: E2310-004-000-011

Prior Instrument References: O.R. Book 7011, Page 1358 of the Records of Butler County, Ohio.

Grantor expressly reserves for itself and its designated heirs, successors and assigns, a non-exclusive, perpetual access and utility easement over, under, upon, through and across the Real Property described on Exhibit A for the installation, use, maintenance and operation of underground and/or overhead utility lines, vehicular and pedestrian access, ingress, and egress to and from Kennel Road to the remainder of Grantor's property (the "Master Grantor Parcel") as described in O.R. Book 7011, Page 1358, of the Records of Butler County, Ohio, consisting of approximately 36.303 acres, more or less, all for the benefit of the Grantor and the record owner of the Master Grantor Parcel. Grantor acknowledges and agrees that such access easement (but not the utility easement) shall, notwithstanding the foregoing or anything to the contrary contained herein, automatically and immediately expire upon the City of Trenton's annexation and dedication of the Real Property granted herein for public roadway purposes.

This conveyance is a transfer between adjoining lot owners referred to in section 711.001(B)(1) of the Ohio Revised Code and does not create any additional building site. The parcel being conveyed is from the real property known as Butler County, Ohio Auditor's Parcel No. E2310-004-000-011. The parcel hereby conveyed may not hereafter be conveyed separately from the adjacent parcel of real property known as Butler County, Ohio Auditor's Parcel No. E2310-004-000-011, nor may any structure be erected thereon without the prior approval of the



File # 2021-00050367

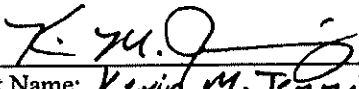
Page: 2 of 7

BK **9715** PG **1811**

authority having authority to approve plats.

Executed this 9 day of July, 2021.

**DUKE ENERGY INDIANA, LLC, an Indiana
limited liability company, formerly named PSI
ENERGY, INC., an Indiana corporation**

By: 
Print Name: Kevin M. Jennings
Title: Manager, Land Services II

[Notaries on Following Page]



STATE OF OHIO)
) ss:
COUNTY OF Hamilton)

The foregoing instrument was acknowledged before me on the 9 day of July, 2021, by Karin M Jennings, the Mgr. Land Services of Duke Energy Indiana, LLC, an Indiana limited liability company, formerly named PSI Energy, Inc., on behalf of the limited liability company.

Esli A Shaw
Notary Public
My commission expires: 8-15-2023



ESLIE A. SHAW
Notary Public, State of Ohio
My Commission Expires 08-15-2023

This instrument was prepared in its unexecuted form without benefit of title examination by:

Christopher J. Groeschen, Esq.,
Graydon Head & Ritchey LLP,
312 Walnut Street, Suite 1800,
Cincinnati, Ohio 45202